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Washington, Tuesday, July 3, 1951

TITLE 3—THE PRESIDENT

PROCLAMATION 2933

TERMINATION OF COSTA RICAN TRADE AGREEMENT PROCLAMATION

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

1. WHEREAS (pursuant to the authority vested in the President by the Constitution and the statutes, including section 350 of the Tariff Act of 1930, as amended by section 1 of the act of June 12, 1934 (ch. 474, 48 Stat. 943)) the President of the United States of America entered into a trade agreement with the President of the Republic of Costa Rica on November 28, 1936 (50 Stat., Pt. 2, 1583);

2. WHEREAS by Proclamation of July 3, 1937 (50 Stat., Pt. 2, 1582), the President proclaimed the said trade agreement specified in the first recital of this proclamation, effective on and after August 2, 1937;

3. WHEREAS the Government of the United States of America and the Government of the Republic of Costa Rica entered into an agreement on April 3, 1951, providing that the said trade agreement shall cease to be in force on and after June 1, 1951; and

4. WHEREAS section 350 (a) of the Tariff Act of 1930, as amended, authorize the President to terminate in whole or in part any proclamation carrying out a trade agreement entered into under such section:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, acting under the authority vested in me by the Constitution and the statutes, including the said section 350 of the Tariff Act of 1930, as amended, do proclaim that the said proclamation of July 3, 1937, is hereby terminated as of the close of May 31, 1951.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 28th day of June, in the year of our Lord nineteen hundred and [SEAL] fifty-one, and of the Independence of the United States of America the one hundred and seventy-fifth.

HARRY S. TRUMAN

By the President:

DEAN ACHESON,
Secretary of State.

[F. R. Doc. 51-7671; Filed, June 29, 1951; 2:48 p. m.]

EXECUTIVE ORDER 10264

TRANSFER OF THE ADMINISTRATION OF AMERICAN SAMOA FROM THE SECRETARY OF THE NAVY TO THE SECRETARY OF THE INTERIOR

WHEREAS the Island of Tutuila of the Samoan group and all other islands of the group east of longitude 171 degrees west of Greenwich, known as American Samoa, were placed under the control of the Department of the Navy by Executive Order No. 125-A of February 19, 1900; and

WHEREAS the joint resolution of February 20, 1929, 45 Stat. 1253, provides that until the Congress shall provide for the government of such islands all civil, judicial, and military powers shall be vested in such person or persons and shall be exercised in such manner as the President of the United States may direct; and

WHEREAS a committee composed of the Secretaries of State, War, the Navy, and the Interior recommended on June 18, 1947, that administrative responsibility for American Samoa be transferred to a civilian agency of the Government at the earliest practicable date as determined by the President; and

WHEREAS plans for the orderly transfer of administrative responsibility for American Samoa from the Secretary of the Navy to the Secretary of the Interior are embodied in a memorandum of understanding between the Department of the Navy and the Department of the Interior, approved by me on September 23, 1949, and it is the view of the two departments, as expressed in that memorandum, that such transfer should take effect on or about July 1, 1951; and

WHEREAS the transfer of administration of American Samoa from the

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THE PRESIDENT

EXECUTIVE AGENCIES

FEDERAL REGISTER

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CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

CODIFICATION GUIDE—Con.

Secretary of the Navy to the Secretary of the Interior, effective July 1, 1951, appears to be in the public interest:

NOW, THEREFORE, by virtue of the authority vested in me by the said joint resolution of February 20, 1929, and as President of the United States, it is ordered as follows:

1. The administration of American Samoa is hereby transferred from the Secretary of the Navy to the Secretary of the Interior, such transfer to become effective on July 1, 1951.

2. The Department of the Navy and the Department of the Interior shall proceed with the plans for the transfer of administration of American Samoa as embodied in the above-mentioned memorandum of understanding between the two departments.

3. When the transfer of administration made by this order becomes effective, the Secretary of the Interior shall take such action as may be necessary and appropriate, and in harmony with applicable law, for the administration of civil government in American Samoa.

4. The executive departments and agencies of the Government are authorized and directed to cooperate with the Departments of the Navy and Interior in the effectuation of the provisions of this order.

5. The said Executive order of February 19, 1900, is revoked, effective July 1, 1951.

HARRY S. TRUMAN

THE WHITE HOUSE,
June 29, 1951.

[F. R. Doc. 51–7717; Filed, June 29, 1951; 5:05 p. m.]

EXECUTIVE ORDER 10265

TRANSFER OF THE ADMINISTRATION OF THE TRUST TERRITORY OF THE PACIFIC ISLANDS FROM THE SECRETARY OF THE NAVY TO THE SECRETARY OF THE INTERIOR

WHEREAS the Trust Territory of the Pacific Islands (hereinafter referred to as the trust territory) was placed under the trusteeship system established by the Charter of the United Nations by means of a trusteeship agreement approved by the Security Council of the United Nations on April 2, 1947, and by the United States Government on July 18, 1947, after due constitutional process; and

WHEREAS the United States, under the terms of the trusteeship agreement, was designated as the administering authority of the trust territory, and has assumed obligations for the government thereof; and

WHEREAS Executive Order No. 9875 of July 18, 1947, delegated authority and responsibility for the civil administration of the trust territory to the Secretary of the Navy on an interim basis; and

WHEREAS a committee of the Secretaries of State, War, the Navy, and the Interior recommended on June 18, 1947, that administrative responsibility for the trust territory be transferred to a civilian agency of the Government at the earliest practicable date; and

WHEREAS plans for the orderly transfer of administrative responsibility for the trust territory from the Secretary of the Navy to the Secretary of the Interior are embodied in a memorandum of understanding between the Department of the Navy and the Department of the Interior, approved by me on September 23, 1949, and it is the view of the two departments, as expressed in that memorandum, that such transfer should take effect on July 1, 1951; and

WHEREAS the transfer of administration of the trust territory from the Secretary of the Navy to the Secretary of the Interior, effective July 1, 1951, appears to be in the public interest:

NOW, THEREFORE, by virtue of the authority vested in me as President of the United States, it is ordered as follows:

1. The administration of the trust territory is hereby transferred from the Secretary of the Navy to the Secretary of the Interior, such transfer to become effective on July 1, 1951.

2. The Department of the Navy and the Department of the Interior shall proceed with the plans for the transfer of administration of the trust territory as embodied in the above-mentioned memorandum of understanding between the two departments.

3. When the transfer of administration made by this order becomes effective, the Secretary of the Interior shall take such action as may be necessary and appropriate, and in harmony with applicable law, for the administration of civil government in the trust territory and shall, subject to such policies as the President may from time to time prescribe and, when appropriate, in collaboration with other departments or agencies of the Government, carry out the obligations assumed by the United States as the administering authority of the trust territory under the terms of

the trusteeship agreement approved by the United States on July 18, 1947, and under the Charter of the United Nations: *Provided, however,* that the authority to specify parts or all of the trust territory as closed for security reasons and to determine the extent to which Articles 87 and 88 of the Charter of the United Nations shall be applicable to such closed areas, in accordance with Article 13 of the trusteeship agreement, shall be exercised by the President: *And provided further,* that the Secretary of the Interior shall keep the Secretary of State currently informed of activities in the trust territory affecting the foreign policy of the United States and shall consult the Secretary of State on questions of policy concerning the trust territory which relate to the foreign policy of the United States, and that all relations between departments or agencies of the Government and appropriate organs of the United Nations with respect to the trust territory shall be conducted through the Secretary of State.

4. The executive departments and agencies of the Government are authorized and directed to cooperate with the Departments of the Navy and Interior in the effectuation of the provisions of this order.

5. The said Executive Order No. 9875 of July 18, 1947, is revoked, effective July 1, 1951.

HARRY S. TRUMAN

THE WHITE HOUSE,
June 29, 1951.

[F. R. Doc. 51-7718; Filed, June 29, 1951; 5:05 p. m.]

EXECUTIVE ORDER 10266

SUSPENSION OF CERTAIN PROVISIONS OF THE OFFICER PERSONNEL ACT OF 1947, AS AMENDED, WHICH RELATE TO OFFICERS OF THE NAVY AND MARINE CORPS

By virtue of the authority vested in me by sections 301 and 426 (c) of the Officer Personnel Act of 1947, as amended, it is hereby ordered as follows:

1. Except as provided in paragraph 2 hereof, the operation of those provisions of Title III of the Officer Personnel Act of 1947, as amended, which relate to the distribution in grades, promotion by selection, temporary promotion, and discharge on second failure of selection for promotion, of officers of the grades of lieutenant, lieutenant (junior grade), and ensign of the Navy, and of corresponding grades of the Marine Corps, are hereby suspended for the duration of the national emergency proclaimed by Proclamation No. 2914 of December 16, 1950.

2. Notwithstanding the provisions of paragraph 1 hereof, (a) the operation of those provisions of Title III of the Officer Personnel Act of 1947, as amended, which relate to the promotion of officers of the grades of lieutenant and lieutenant (junior grade) of the Navy, and of corresponding grades of the Marine Corps, shall not be regarded as suspended in the case of any officer whose name is on this date on a promotion list as the result of selection for promotion pursuant to the said act, as amended, and (b) the operation of those provisions of Title III of the said act which relate to discharge on second failure of selection for promotion of officers of the said grades shall not be regarded as suspended in the case of any officer subject to discharge on June 30, 1951, under such provisions if the officer requests such discharge.

HARRY S. TRUMAN

THE WHITE HOUSE,
June 30, 1951.

[F. R. Doc. 51-7720; Filed, July 2, 1951; 10:15 a. m.]

RULES AND REGULATIONS

TITLE 7—AGRICULTURE

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

PART 930—MILK IN THE TOLEDO, OHIO, MARKETING AREA

ORDER, AMENDING ORDER, AS AMENDED, REGULATING HANDLING

Sec.

AUTHORITY: §§ 930.0 to 930.96 issued under sec. 5, 49 Stat. 753, as amended; 74 S. C. and Sup., 608c.

§ 930.0 *Findings and determinations.* The findings and determinations set forth in this subpart are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of each of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed except insofar as such findings and determinations may be in conflict with the findings and determinations set forth in this subpart.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held at Toledo, Ohio, on June 1, 1950, reopened on November 30, 1950, upon certain proposed amendments to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Toledo, Ohio, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order, as amended and as hereby further amended, and all of the terms and conditions thereof will

tend to effectuate the declared policy of the act;

(2) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area and the minimum prices specified in the order, as amended, and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order, as amended, and as hereby further amended, regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which a hearing has been held.

(b) *Determinations.* It is hereby determined that handlers (excluding cooperative associations of producers who are not engaged in processing, distributing, or shipping the milk covered by this order, as amended of more than 50 percent of the volume of milk covered by the aforesaid order, as amended, and as hereby further amended, which is marketed within the Toledo, Ohio, marketing area, refused or failed to sign the proposed marketing agreement regulating the handling of milk in the said marketing area; and it is hereby further determined that:

(1) The refusal or failure of such handlers to sign said marketing agreement tends to prevent the effectuation of the declared policy of the act;

(2) The issuance of this order, further amending the said order, as amended, is the only practical means, pursuant to the declared policy of the act, of advancing the interests of producers of milk which is produced for sale in the said marketing area; and

(3) The issuance of this order further amending the said order, as amended, is approved or favored by at least two-thirds of the producers who, during the determined representative period (March 1951), were engaged in the production of milk for sale in the said marketing area.

ORDER RELATIVE TO HANDLING

It is therefore ordered, that on and after the effective date hereof, the handling of milk in the Toledo, Ohio, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended; and the aforesaid order, as amended, is hereby further amended as follows:

DEFINITIONS

§ 930.1 *Act.* "Act" means Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C., 1940 ed, 601 et seq.).

§ 930.2 *Secretary.* "Secretary" means the Secretary of Agriculture or such other officer or employee of the United States authorized to exercise the powers or to perform the duties of the said Secretary.

§ 930.3 *Department of Agriculture.* "Department of Agriculture" means the United States Department of Agriculture.

§ 930.4 *Person.* "Person" means an individual, partnership, corporation, association, or any other business unit.

§ 930.5 *Toledo, Ohio, marketing area.* "Toledo, Ohio, marketing area," called the "marketing area" in this subpart means the territory within the corporate limits of the cities of Toledo, Ohio, and Monroe, Michigan, and the towns and villages of Ottawa Hills, Maumee, Sylvania, Harbor View and Trilby in Lucas County, Ohio, and the village of Rossford in Wood County, Ohio, and the territory within the boundaries of the townships of Monclova, Springfield, Adams, Sylvania, Washington, Jerusalem and Oregon in Lucas County, Ohio, and Perrysburg, Ross and Lake in Wood County, Ohio, and Whiteford, Bedford, Erie, La Salle, Monroe, and Frenchtown in Monroe County, Michigan.

§ 930.6 *Fluid milk plant.* "Fluid milk plant" means a plant or other facilities used in the preparation or processing of milk for sale or disposition in the marketing area as Class I milk all, or a portion, of which is so sold or disposed of on the premises or from such plant (or facilities) to a wholesale or retail stop(s) other than a plant of a handler or nonhandler.

§ 930.7 *Producer.* "Producer" means any person who produces milk received (a) at a fluid milk plant, or (b) at any other plant by diversion from a fluid milk plant on the account of a handler or a cooperative association: *Provided,* That the person producing milk holds a dairy farm inspection permit issued by the appropriate health authority of the community for which the milk is produced, if such community requires such permit for milk for disposition as Class I milk therein.

§ 930.8 *Handler.* "Handler" means (a) any person who operates a fluid milk plant, or (b) any association of producers with respect to producer milk diverted by it from a fluid milk plant to any plant of a nonhandler for the account of such association.

§ 930.9 *Producer-handler.* "Producer-handler" means a person who is a handler and who produces milk, but receives no milk from other producers.

§ 930.10 *Producer milk.* "Producer milk" means milk produced by one or more producers under the conditions set forth in § 930.7.

§ 930.11 *Other source milk.* "Other source milk" means all skim milk and butterfat in any form received from a source other than a producer or handler (who is not a producer-handler), except any nonfluid milk product so received which is disposed of in the same form.

§ 930.12 *Nonhandler.* "Nonhandler" means any person who is not a handler, but who operates a milk manufacturing or processing plant.

§ 930.13 *Cooperative association.* "Cooperative association" means any cooperative marketing association of producers which the Secretary determines, after application by the association: (a) To be qualified under the provisions of the act of Congress of February 18, 1922, as amended, known as the "Capper-Volstead Act"; (b) to have full authority in the sale of milk of its members and to be engaged in making collective sales or marketing milk or its product for its members; and (c) to have all of its activities under the control of its members.

MARKET ADMINISTRATOR

§ 930.20 *Designation.* The agency for the administration of this subpart shall be a market administrator selected by the Secretary, who shall be entitled to such compensation as may be determined by, and shall be subject to removal by the secretary.

§ 930.21 *Powers.* The market administrator shall have the following powers with respect to this subpart:

(a) To administer its terms and provisions;

(b) To receive, investigate, and report to the Secretary complaints of violations;

(c) To make rules and regulations to effectuate its terms and provisions; and

(d) To recommend amendments to the Secretary.

§ 930.22 *Duties.* The market administrator shall perform all duties necessary to administer the terms and provisions of this subpart, including, but not limited to, the following:

(a) Within 30 days following the date on which he enters upon his duties execute and deliver to the Secretary a bond effective as of the date on which he enters upon such duties and conditioned upon the faithful performance of such duties, in an amount and with surety thereon satisfactory to the Secretary;

(b) Employ and fix the compensation of such persons as may be necessary to enable him to administer its terms and provisions;

(c) Obtain a bond in a reasonable amount and with reasonable surety thereon covering each employee who handles funds entrusted to the market administrator;

(d) Pay, out of the funds provided by § 930.73:

(1) The cost of his bond and of the bonds of his employees,

(2) His own compensation, and

(3) All other expenses, except those incurred under § 930.74, necessarily incurred by him in the maintenance and functioning of his office and in the performance of his duties;

(e) Keep such books and records as will clearly reflect the transactions provided for in this subpart, and, upon request by the Secretary, surrender the same to such other person as the Secretary may designate;

(f) Publicly announce, unless otherwise directed by the Secretary, by posting in a conspicuous place in his office and by such other means as he deems appropriate, the name of any person who, within 10 days after the day upon

which he is required to perform such acts, has not made (1) reports pursuant to § 930.30, or (2) payments pursuant to §§ 930.70, 930.73, 930.74, 930.75, and 930.77;

(g) Submit his books and records to examination by the Secretary and furnish such information and reports as may be requested by the Secretary;

(h) Audit records of all handlers to verify the reports and payments required pursuant to the provisions of this subpart; and

(i) Publicly announce, by posting in a conspicuous place in his office and by such other means as he deems appropriate, the prices determined for each delivery period as follows:

(1) On or before the 5th day after the end of such delivery period, the minimum class prices and the butterfat differential for each class computed pursuant to § 930.50, and § 930.52 and

(2) On or before the 12th day after the end of such delivery period the uniform price computed pursuant to § 930.61 and the butterfat differential computed pursuant to § 930.72.

(j) Upon request, supply on or before the 10th day after the end of each month to each cooperative association with respect to each producer specified in § 930.70 (a) the amounts of milk received, the average butterfat tests thereof, the amounts of authorized deductions and such other information necessary to carry out the provisions and intent of § 930.70.

REPORTS, RECORDS, AND FACILITIES

§ 930.30 *Monthly reports of receipts and utilization.* On or before the 5th day after the end of each month, each handler, except a producer-handler, shall report to the market administrator in the detail and on forms prescribed by the market administrator the following information with respect to all milk received from producers, all milk, skim milk, cream, and milk products received from other handlers, all other source milk received during the month at his fluid milk plant(s), and milk diverted pursuant to § 930.7 (b):

(a) The quantities of butterfat and skim milk contained in such receipts, and their sources;

(b) The utilization of such receipts; and

(c) Such other information with respect to such receipts and utilization as the market administrator may prescribe.

§ 930.31 *Other reports.* Each handler shall report to the market administrator, in the detail and on forms prescribed by the market administrator (except that each producer-handler shall make reports to the market administrator at such time and in such manner as the market administrator may request) on or before the 20th day after the end of each month his producer pay roll for the month, which shall show (a) the pounds of milk and the percentages of butterfat contained therein received from each producer; (b) the amounts and dates of payments to each producer or cooperative association; and (c) the nature and amount of each deduction or charge involved in the payments referred to in paragraph (b) of this section.

§ 930.32 *Records and facilities.* Each handler shall maintain, and make available to the market administrator during the usual hours of business, such accounts and records of all of his operations and such facilities as, in the opinion of the market administrator, are necessary to verify reports, or to ascertain the correct information with respect to (a) the receipts and utilization of all skim milk and butterfat received, including all milk products received and disposed of in the same form; (b) the weights and tests for butterfat and for other contents of all milk and milk products handled; and (c) payments to producers and cooperative associations.

§ 930.33 *Retention of records.* All books and records required under this subpart to be made available to the market administrator shall be retained by the handler for a period of three years to begin at the end of the month to which such books and records pertain: *Provided*, That, if within such three-year period, the market administrator notifies a handler in writing that the retention of such books and records, or of specified books and records, is necessary in connection with a proceeding under section 8c (15) (A) of the act or a court action specified in such notice, the handler shall retain such books and records until further written notification from the market administrator. The market administrator shall give further written notification to the handler promptly upon the termination of the litigation or when the records are no longer necessary in connection therewith.

CLASSIFICATION

§ 930.40 *Basis of classification.* All (a) producer milk received by a handler, (b) skim milk and butterfat in any form received by a handler from other handlers, and (c) other source milk received by a handler at a fluid milk plant, shall be classified in the classes set forth in § 930.41.

§ 930.41 *Classes of utilization.* Subject to the conditions set forth in §§ 930.42, 930.43, 930.44, 930.45, 930.46 and 930.47, the classes of utilization shall be:

(a) Class I milk shall be all skim milk and butterfat disposed of in fluid form as (1) milk; skim milk or buttermilk, except for livestock feed; or flavored milk or flavored milk drink; and (2) all skim milk and butterfat not accounted for as Class II milk or Class III milk.

(b) Class II milk shall be all skim milk and butterfat disposed of as sweet or sour cream; any cream product in fluid form which contains less than the minimum butterfat required for fluid cream; or eggnog.

(c) Class III milk shall be all skim milk and butterfat accounted for (1) as used to produce a product other than those specified in paragraphs (a) and (b) of this section; (2) as actual plant shrinkage of skim milk and butterfat received in producer milk, but not to exceed 2 percent of such receipts of skim milk and butterfat, respectively, and (3) as actual plant shrinkage of skim milk and butterfat, respectively, in other source milk received: *Provided*, That if producer milk is utilized as milk, skim milk, or cream in conjunction with other source milk, the shrinkage allocated to producer milk shall be computed pro rata according to the proportions of the volumes of skim milk and butterfat, respectively, received from such sources to their total.

§ 930.42 *Interhandler and nonhandler transfers.* (a) Skim milk and butterfat disposed of by a handler to another handler in the form of milk or skim milk shall be Class I milk, and skim milk and butterfat so disposed of in the form of cream shall be Class II milk, unless utilization in another class is mutually indicated in writing to the market administrator by both handlers on or before the 5th day after the end of the month within which such transfer was made: *Provided*, That in no event shall the amount so reported be greater than the amount used in such class by the receiving handler.

(b) Skim milk and butterfat disposed of in the form of milk or skim milk by a handler to a nonhandler's plant located less than 100 miles from the City Hall at Toledo, Ohio, by the shortest highway distance as determined by the market administrator, shall be Class I milk, and skim milk and butterfat so disposed of in the form of cream shall be Class II milk, unless (1) utilization is mutually indicated in writing to the market administrator by both the handler and nonhandler on or before the 5th day after the end of the month within which such transfer was made, and (2) the nonhandler maintains books and records showing the utilization of all skim milk and butterfat at his plant which are made available if requested by the market administrator for the verification of such mutually indicated utilization.

(c) Skim milk and butterfat disposed of in the form of milk or skim milk by a handler to a nonhandler's plant located 100 miles or more from the City Hall at Toledo, by the shortest highway distance as determined by the market administrator, shall be Class I milk, and skim milk and butterfat so disposed of in the form of cream shall be Class II milk.

§ 930.43 *Responsibility of handlers and reclassification of milk.* (a) All skim milk and butterfat shall be classified as Class I milk unless the handler who first receives such skim milk or butterfat proves to the market administrator that such skim milk or butterfat should be classified otherwise.

(b) Any skim milk or butterfat classified in one class shall be reclassified if used or reused by such handler or by another handler in another class.

§ 930.44 *Computation of skim milk and butterfat in each class.* For each month the market administrator shall correct for mathematical and for obvious errors the monthly report submitted by each handler and compute the total pounds of skim milk and butterfat, respectively, in Class I milk, Class II

milk, and Class III milk for such handler.

§ 930.45 *Allocation of butterfat classified.* The pounds of butterfat remaining after making the following computations shall be the pounds in each class allocated to producer milk:

(a) Subtract from the total pounds of butterfat in Class III milk the total pounds of butterfat shrinkage pursuant to subparagraphs (2) and (3) of paragraph (c) of this section;

(b) Subtract from the pounds of butterfat remaining in each class the pounds of butterfat received from other handlers and used in such class;

(c) Determine the pounds of butterfat in other source milk to be prorated pursuant to paragraph (e) of this section as the smallest of the following amounts:

(1) The pounds of butterfat in other source milk received in the form of milk or skim milk,

(2) The difference by which the pounds of butterfat received in producer milk are less than 1.2 times the pounds of butterfat in the handler's Class I milk, not including that disposed of to other fluid milk plants, and

(3) The total pounds of butterfat in other source milk less the amount of the butterfat shrinkage on other source milk subtracted pursuant to paragraph (a) of this section;

(d) Subtract from the pounds of butterfat remaining in each class, in series beginning with the lowest-priced utilization, the pounds of butterfat in other source milk other than (1) butterfat shrinkage in other source milk subtracted pursuant to paragraph (a) of this section and (2) butterfat in other source milk determined pursuant to paragraph (c) of this section;

(e) Subtract pro rata from the pounds of butterfat remaining in each class, the pounds of butterfat in other source milk determined pursuant to paragraph (c) of this section; and

(f) Add to the pounds of butterfat remaining in Class III milk the pounds of butterfat shrinkage in producer milk subtracted pursuant to paragraph (a) of this section; or if the remaining pounds of butterfat in all classes exceed the pounds of butterfat in milk received from producers, subtract such excess from the remaining pounds of butterfat in each class in series beginning with the lowest-priced utilization.

§ 930.46 *Allocation of skim milk classified.* Allocate the pounds of skim milk in each class to producer milk in a manner similar to that prescribed for butterfat in § 930.45.

§ 930.47 *Determination of producer milk in each class.* Add the pounds of butterfat and pounds of skim milk allocated to producer milk in each class, respectively, as computed pursuant to §§ 930.45 and 930.46 and determine the percentage of butterfat in each class.

MINIMUM PRICES

§ 930.50 *Class prices.* Subject to the provisions of §§ 930.52 and 930.53, each handler shall pay not less than the following prices per hundredweight, on the basis of 3.5 percent butterfat content, for producer milk received.

(a) *Class I milk price.* (1) Except as provided in subparagraph (2) of this paragraph, add to the basic formula price the following amount for the delivery period indicated:

Delivery period:	*Amount*
May and June	$0.75
March, April, July, August	1.00
All others	1.20

(2) For the second delivery period following any period of 12 consecutive months in which the total receipts of milk from producers by all handlers exceed 135 percent of the total Class I utilization of all handlers, and continuing until the beginning of the second delivery period following any period of 12 consecutive months in which such milk receipts are less than 125 percent of such utilization, add to the basic formula price the following amount for the delivery period indicated:

Delivery period:	*Amount*
May and June	$0.75
March, April, July, August	.95
All others	1.05

(b) *Class II milk price.* The Class II milk price for each delivery period shall be the Class I milk price for such delivery period less 30 cents.

(c) *Class III milk price.* The Class III milk price shall be the average (computed to the nearest tenth of a cent) of the basic (or field) prices per hundredweight for milk of 3.5 percent butterfat content received from farmers during the month at the following locations for which prices have been reported to the market administrator or to the Department of Agriculture on or before the 5th day after the end of the month by the companies indicated below:

Company and Location

Pet Milk Co., Wauseon, Ohio.
Pet Milk Co., Delta, Ohio.
Defiance Milk Products Co., Defiance, Ohio.
Pet Milk Co., Hudson, Mich.

§ 930.51 *Basic formula price.* The basic formula price per hundredweight (computed to the nearest tenth of a cent) to be used in determining the class prices pursuant to § 930.50 shall be the highest of the prices per hundredweight for milk of 3.5 percent butterfat content computed pursuant to paragraph (c) of § 930.50, or to paragraphs (a), (b), and (c) of this section.

(a) The average of the basic (or field) prices reported to have been paid or to be paid per hundredweight for milk of 3.5 percent butterfat content received from farmers during the delivery period at the following plants or places for which prices have been reported to the market administrator or to the Department of Agriculture on or before the 5th day after the end of the month by the companies indicated below:

Companies and Location

Borden Co., Black Creek, Wis.
Borden Co., Greenville, Wis.
Borden Co., Mount Pleasant, Mich.
Borden Co., New London, Wis.
Borden Co., Orfordville, Wis.
Carnation Co., Berlin, Wis.
Carnation Co., Jefferson, Wis.
Carnation Co., Chilton, Wis.
Carnation Co., Oconomowoc, Wis.
Carnation Co., Richland Center, Wis.
Carnation Co., Sparta, Mich.
Pet Milk Co., Belleville, Wis.
Pet Milk Co., Coopersville, Mich.
Pet Milk Co., Hudson, Mich.
Pet Milk Co., New Glarus, Wis.
Pet Milk Co., Wayland, Mich.
White House Milk Co., Manitowoc, Wis.
White House Milk Co., West Bend, Wis.

(b) The price per hundredweight computed as follows:

(1) Multiply by six the average daily wholesale price per pound of 92-score butter at Chicago as reported by the Department of Agriculture during the month;

(2) Add an amount equal to 2.4 times the arithmetical average of the weekly prevailing price per pound of "Twins" during the month on the Wisconsin Cheese Exchange at Plymouth, Wisconsin: *Provided*, That if the price of "Twins" is not quoted on the Wisconsin Cheese Exchange the weekly prevailing price per pound of "Cheddars" shall be used; and

(3) Divide by seven, and add 30 percent thereof, and then multiply by 3.5.

(c) The price per hundredweight computed by adding together the plus values pursuant to subparagraphs (1) and (2) of this paragraph:

(1) From the average daily wholesale price per pound of 92-score butter in the Chicago market, as reported by the Department of Agriculture during the month subtract three cents, add 20 percent thereof, and then multiply by 3.5; and

(2) From the arithmetical average of the carlot prices per pound for nonfat dry milk solids (not including that specifically designated animal feed), spray and roller process, f. o. b. manufacturing plants in the Chicago area, as published by the Department of Agriculture during the month, deduct 5.5 cents, multiply by 8.5, and then multiply by 0.965, except that if such agency does not publish such prices f. o. b. manufacturing plants, there shall be used for the purpose of this computation the arithmetical average of the carlot prices thereof delivered at Chicago, Illinois, as published weekly by such agency during the month; and in the latter event the figure "7.5" shall be substituted for "5.5" in the above formula.

§ 930.52 *Butterfat differentials to handlers.* If the weighted average butterfat test of that portion of producer milk which is classified, respectively, in any class of utilization for a handler, pursuant to § 930.47, is more or less than 3.5 percent, there shall be added to, or subtracted from, as the case may be, the price for such class of utilization, for each one-tenth of one percent that such weighted average butterfat test is above or below, respectively, 3.5 percent, a butterfat differential (computed to the nearest tenth of a cent), calculated for each class of utilization as follows:

(a) *Class I milk.* Multiply by 1.3 the average daily wholesale price per pound of 92-score butter in the Chicago market, as reported by the Department of Agriculture during the month, and divide the result by 10;

(b) *Class II milk.* Multiply by 1.25 the average daily wholesale price per pound of 92-score butter in the Chicago market, as reported by the Department of Agriculture during the month, and divide the result by 10; and

(c) *Class III milk.* Multiply by 1.2 the average daily wholesale price per pound of 92-score butter in the Chicago market, as reported by the Department of Agriculture during the month, and divide the result by 10.

§ 930.53 *Emergency price provisions.* Whenever the provisions of this subpart require the market administrator to use a specific price (or prices) for milk or any milk product for the purpose of determining minimum class prices or for any other purpose, the market administrator shall add to the specified price the amount of any subsidy, or other similar payment, being made by any Federal agency in connection with the milk, or product, associated with the price specified: *Provided,* That if for any reason the price specified is not reported or published as indicated, the market administrator shall use the applicable maximum price established by regulations of any Federal agency plus the amount of such subsidy or other similar payment: *Provided further,* That if the specified price is not reported or published and there is no applicable maximum uniform price, or if the specified price is not reported or published and the Secretary determines that the market price is below the applicable maximum uniform price, the market administrator shall use a price determined by the Secretary to be equivalent to or comparable with the price specified.

HANDLER'S OBLIGATION AND UNIFORM PRICE

§ 930.60 *Value of milk.* The value of producer milk of each handler for each month shall be a sum of money computed by the market administrator by multiplying by the respective class prices pursuant to § 930.50, the amounts in each class computed pursuant to § 930.47, and adding together such amounts: *Provided,* That if a handler, after the subtraction of other source milk and receipts from other handlers, has disposed of skim milk or butterfat in excess of the skim milk or butterfat which on the basis of his report for the month pursuant to § 930.30, has been credited to his producers as having been received from them, there shall be added an amount computed by multiplying the pounds in each class as subtracted pursuant to § 930.45 (f) and § 930.46 by the applicable class prices.

§ 930.61 *Uniform price.* For each delivery period the market administrator shall compute for each handler a "uniform price" per hundredweight, on the basis of 3.5 percent butterfat content, for producer milk received by such handler as follows:

(a) From the value of milk computed for such handler pursuant to § 930.60, deduct, if the weighted average butterfat test of all producer milk received by him is greater than 3.5 percent, or add, if the weighted average butterfat test of such milk is less than 3.5 percent, an amount computed by multiplying the total pounds of butterfat represented by the variance of such weighted average butterfat test from 3.5 percent by the butterfat differential computed pursuant to § 930.72 and multiplied by 10;

(b) Add or subtract, as the case may be, the amount necessary to correct errors in classification for previous delivery periods as disclosed by audit of the market administrator;

(c) Adjust the resulting amount by the sum of money used in adjusting the uniform price, pursuant to paragraph (e) of this section, for the previous month to the nearest cent;

(d) Divide the result by the total hundredweight of producer milk represented by the value computed pursuant to § 930.60; and

(e) Adjust the resulting figure to the nearest cent.

§ 930.62 *Notification.* On or before the 12th day after the end of each month, the market administrator shall mail to each handler, at his last known address, a statement showing:

(a) The amount and value of his producer milk in each class;

(b) The uniform price for such handler pursuant to § 930.61 and the butterfat differentials computed pursuant to § 930.72; and

(c) The totals of the amounts to be paid by such handler pursuant to §§ 930.73, 930.74, and 930.75.

PAYMENTS

§ 930.70 *Time and method of final payment.* (a) On or before the 13th day after the end of each month, each handler shall, upon request, pay to a cooperative association with respect to milk of producers for which it has received written authorization to collect payment a total amount not less than the sum of the individual amounts otherwise payable to such producers pursuant to paragraph (b) of this section.

(b) On or before the 15th day after the end of each month, each handler shall pay each producer (other than those specified in paragraph (a) of this section) for milk received from him during such month, at not less than the uniform price for such handler adjusted by the butterfat differential pursuant to § 930.72 less the amount of payment made pursuant to § 930.71.

§ 930.71 *Partial payments.* (a) On or before the last day of each month, each handler shall, upon request, pay to a cooperative association with respect to milk received during the first 15 days of the month from producers specified in paragraph (a) of this section, a total amount not less than the sum of the individual amounts for such producers, computed at not less than the uniform price for such handler for the preceding month.

(b) On or before the last day of each month each handler shall pay to each producer (other than those specified in paragraph (a) of this section) for milk received from him during the first fifteen (15) days of the month at not less than fifty cents (50 cents) under the uniform price for such handler for the preceding month: *Provided,* That in the event a producer discontinues shipping to the market during the month, such partial payments shall not be made and full payment for all milk received from such producer during the month shall be made pursuant to the provisions of § 930.70.

§ 930.72 *Producer butterfat differential.* In making payments pursuant to § 930.70 the uniform price for each handler shall be adjusted for each one-tenth of one percent of butterfat content in the milk of each producer above or below 3.5 percent, as the case may be, by a butterfat differential (computed to the nearest multiple of one-half cent) calculated as follows: Multiply by 1.2 the average daily wholesale price per pound of 92-score butter in the Chicago market, as reported by the Department of Agriculture during the month and divide the result by 10.

§ 930.73 *Expense of administration.* As his prorata share of expense incurred pursuant to § 930.22 (d), each handler shall pay the market administrator, on or before the 15th day after the end of each month, 2 cents per hundredweight, or such lesser amount as the Secretary may from time to time prescribe with respect to receipts, during the month, of (a) milk from producers (including such handler's own production), and (b) other source milk received at a fluid milk plant and classified as Class I milk or Class II milk.

§ 930.74 *Deductions for marketing services.* Except as set forth in § 930.75, each handler, in making payments to producers pursuant to § 930.70, with respect to all milk received from each producer (except milk of such handler's own production) at a plant not operated by a cooperative association of which such producer is a member, shall deduct 4 cents per hundredweight, or such lesser amount as the Secretary may from time to time prescribe; and on or before the 15th day after the end of such month, shall pay such deductions to the market administrator. Such moneys shall be expended by the market administrator to verify weights, samples, and tests of milk of such producers and to provide such producers with market information, such services to be performed by the market administrator, or by an agent engaged by and responsible to him.

§ 930.75 *Cooperative association.* In the case of producers whose milk is received at a plant not operated by a cooperative association of which such producers are members, and for whom a cooperative association is actually performing the services described in § 930.74, as determined by the market administrator, each handler shall make, in lieu of the deductions specified in § 930.74, such deductions from payments required pursuant to § 930.70 as may be authorized by such producers, and pay such deductions on or before the 15th day after the end of such month to the cooperative association rendering such services of which such producers are members.

§ 930.76 *Reports to cooperatives.* Upon request the market administrator is authorized to report to any cooperative association qualifying under § 930.75 for

each month the amount of butterfat shortage or overage in member milk found in any handler's plant, as revealed by the records of the market administrator. For the purpose of this report, the butterfat shortage or overage on member milk shall be determined as the percentage of total butterfat shortage or overage which total receipts of butterfat in member milk is of the total receipts of butterfat in the plant.

§ 930.77 *Errors in payments.* Whenever audit by the market administrator of any handler's reports, books, records, or accounts discloses errors resulting in moneys due (a) the market administrator from such handler, or such handler from the market administrator pursant to §§ 930.73 or 930.74, or (b) any producer or cooperative association from such handler pursuant to § 930.70, the market administrator shall promptly notify such handler of any such amount due; and said payment thereof shall be made on or before the next date for making payment set forth in the provision under which such error occurred, following the 5th day after such notice.

APPLICATION OF PROVISIONS

§ 930.80 *Milk subject to other Federal orders.* (a) Milk received at a plant of a handler other than from producers the handling of which the Secretary determines to be subject to the pricing and payment provisions of any other Federal milk marketing agreement or order issued pursuant to the act for any fluid milk marketing area shall be considered as other source milk.

(b) Milk distributed as described in § 930.6 directly from a plant at which the handling of such milk is subject to the pricing and payment provisions of any other Federal milk marketing agreement or order shall not be subject to any of the provisions of this subpart except §§ 930.30, 930.31, 930.32 and 930.33.

(c) The value of milk disposed of by a handler as Class I milk within the marketing area of any other Federal milk marketing agreement or order issued pursuant to the act, which milk is not subject to the pricing and payment provisions of such agreement or order, shall be computed pursuant to § 930.60 at the Class I price provided in such other agreement or order adjusted pursuant to any applicable location adjustments, if such Class I price is higher than the Class I price provided in this subpart.

§ 930.81 *Milk caused to be delivered by cooperative associations.* Milk referred to in this subpart as received from producers by a handler shall include milk of producers caused to be delivered directly from the farm to the fluid milk plant of such handler by a cooperative association which is authorized to collect payment for such milk.

§ 930.82 *Diverted milk.* (a) Producer milk diverted by an operator of a fluid milk plant from such plant to a nonhandler's plant shall be deemed to have been received by the fluid milk plant from which such milk was diverted.

(b) Producer milk diverted by a cooperative association from a fluid milk plant to a nonhandler's plant shall be deemed to have been received by such association.

§ 930.83 *Producer-handlers.* Sections 930.40, 930.50, 930.60, 930.70, 930.73, 930.74, and 930.77 shall not apply to the milk of a producer-handler.

MISCELLANEOUS PROVISIONS

§ 930.90 *Termination of obligations.* (a) The obligations of any handler to pay money required to be paid under the terms of this subpart shall, except as provided in paragraphs (b) and (c), terminate two years after the last day of the month during which the market administrator receives the handler's report of utilization of the milk involved in such obligation, unless within such two-year period the market administrator notifies the handler in writing that such money is due and payable. Service of such notice shall be complete upon mailing to the handler's last known address, and it shall contain, but need not be limited to, the following information:

(1) The amount of the obligation;

(2) The month(s) during which the milk, with respect to which the obligation exists, was received or handled; and

(3) If the obligation is payable to one or more producers or to a cooperative association, the name of such producers or association, or, if the obligation is payable to the market administrator, the account for which it is to be paid.

(b) If a handler fails or refuses, with respect to any obligation under this subpart, to make available to the market administrator or his representatives all books or records required by this subpart to be made available, the market administrator may, within the two-year period provided for in paragraph (a), notify the handler in writing of such failure or refusal. If the market administrator so notifies a handler, the said two-year period with respect to such obligation shall not begin to run until the first day of the month following the month during which such books and records pertaining to such obligation are made available to the market administrator or his representative.

(c) Notwithstanding the provisions of paragraphs (a) and (b) of this section, a handler's obligation under this subpart to pay money shall not be terminated with respect to any transaction involving fraud or wilful concealment of a fact, material to the obligation, on the part of the handler against whom the obligation is sought to be imposed.

(d) Any obligation on the part of the market administrator to pay a handler any money which such handler claims to be due him under the terms of this subpart shall terminate two years after the end of the month during which the milk involved in the claim was received if an underpayment is claimed, or two years after the end of the month during which the payment (including deduction or set-off by the market administrator) was made by the handler if a refund on such payment is claimed, unless such handler, within the applicable period of time, files, pursuant to section 8c (15) (A) of the act, a petition claiming such money.

§ 930.91 *Effective time.* The provisions of this subpart, or of any amendment to this subpart, shall become effective at such time as the Secretary may declare and shall continue in force until suspended or terminated.

§ 930.92 *When suspended or terminated.* The Secretary shall, whenever he finds that this subpart, or any provision thereof, obstructs or does not tend to effectuate the declared policy of the act, terminate or suspend the operation of this subpart or any such provision thereof.

§ 930.93 *Continuing obligations.* If, upon the suspension or termination of any or all provisions of this subpart, there are any obligations thereunder the final accrual or ascertainment of which requires further acts by any person (including the market administrator), such further acts shall be performed notwithstanding such suspension or termination.

§ 930.94 *Liquidation.* Upon the suspension of the provisions of this subpart, except this section, the market administrator, or such other liquidating agent as the Secretary may designate, shall, if so directed by the Secretary, liquidate the business of the market administrator's office, dispose of all property in his possession or control, including accounts receivable and execute and deliver all assignments or other instruments necessary or appropriate to effectuate any such disposition. If a liquidating agent is so designated, all assets, books, and records of the market administrator shall be transferred promptly to such liquidating agent. If, upon such liquidation, the funds on hand exceed the amounts required to pay outstanding obligations of the office of the market administrator and to pay necessary expenses of liquidation and distribution, such excess shall be distributed to contributing handlers and producers in an equitable manner.

§ 930.95 *Agents.* The Secretary may, by designation in writing, name any officer or employee of the United States to act as his agent or representative in connection with any of the provisions of this subpart.

§ 930.96 *Separability of provisions.* If any provision of this subpart, or its application to any person or circumstances, is held invalid, the application of such provision, and of the remaining provisions of this subpart, to other persons or circumstances shall not be affected thereby.

Issued at Washington, D. C., this 28th day of June 1951, to be effective on and after the first day of September 1951.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 51-7627; Filed, July 2, 1951; 8:53 a. m.]

TITLE 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Bureau of Animal Industry, Department of Agriculture

Subchapter F—Animal Breeds

[BAI Order 379, Amdt. 16]

PART 151—RECOGNITION OF BREEDS AND BOOKS OF RECORD OF PUREBRED ANIMALS

HOGS

On May 2, 1951, a notice of rule making was published in the FEDERAL REGISTER (16 F. R. 3841) regarding the proposed recognition by the Secretary of Agriculture of the Wessex Saddleback Section of the book of record of purebred hogs entitled "Herd Book of the National Pig Breeders' Association."

After due consideration of all relevant material presented in connection with the notice, the Secretary of Agriculture, pursuant to the authority vested in him by section 201, paragraph 1606 of the Tariff Act of 1930, as amended (19 U. S. C. and Sup. III, sec. 1201, par. 1606) hereby recognizes the Wessex Saddleback Section of the said book of record, and hereby amends § 151.10, Chapter I, Title 9, Code of Federal Regulations, as amended, by adding to the subdivision of paragraph (a) of said section relating to hogs, the name "Wessex Saddleback" to the list of breeds in the said herd book which are currently so recognized, as follows:

Hogs

Name of breed	Book of record	By whom published
Berkshire Large White Middle White Tamworth Wessex Saddleback	Herd Book of the National Pig Breeders' Association.	National Pig Breeders' Association, A. R. Bennett, Secretary, Victoria House, Southampton Row, London, W. C. 1, England.

(Sec. 201, Par. 1606, 48 Stat. 673 as amended; 19 U. S. C. and Sup. 1201, Par. 1606)

The foregoing amendment shall become effective on the 2d day of August 1951.

Done at Washington, D. C., this 27th day of June 1951.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 51-7586; Filed, July 2, 1951; 8:48 a. m.]

TITLE 10—ATOMIC ENERGY

Chapter I—Atomic Energy Commission

[Domestic Uranium Program Circular 6]

PART 60—DOMESTIC URANIUM PROGRAM

BONUS FOR INITIAL PRODUCTION OF URANIUM ORES FROM DOMESTIC MINES

§ 60.6 *Bonus for initial production of uranium ores from new domestic mines.*

(a) *What this section does.* This section provides for bonus payments for initial and certain other production of uranium-bearing ores. It is intended to encourage and assist the development of new sources of domestic uranium production in the interest of the common defense and security.

(b) *Production bonus established.* The U. S. Atomic Energy Commission will pay a bonus under the conditons set forth in this section for delivery to a Commission ore-buying station or a qualified uranium mill (hereafter called station or mill) of uranium ores from an eligible mining property up to the maximum quantities specified in this section.

(c) *Term of this section.* This section will apply to deliveries made under its terms between March 1, 1951, and February 28, 1954, inclusive.

(d) *Payment of the bonus.* Bonus payments will be computed on the following basis:

Ores assaying less than 0.10 percent U_3O_8: no payment.

Ores assaying 0.10 percent U_3O_8 and more, as follows:

U_3O_8 assay:	*Payment per pound of U_3O_8*
0.10 percent	$1.50
0.11 percent	1.70
0.12 percent	1.90
0.13 percent	2.10
0.14 percent	2.30
0.15 percent	2.50
0.16 percent	2.70
0.17 percent	2.90
0.18 percent	3.10
0.19 percent	3.30
0.20 percent and more	3.50

Fractional parts of a pound will be paid for on a pro rata basis to the nearest cent. Assays will be adjusted to the nearest 0.01 percent for purposes of payment. Weights are avoirdupois dry weights. Bonus payments made under this section will be in addition to any other payments for delivery of the ore. They will be paid directly by the Commission and not by the station or mill.

(e) *Maximum quantity of uranium ores for which bonus payments will be made.* Subject to the conditions of this section, bonus payments will be made on deliveries of uranium ore from an eligible mining property to a station or mill until bonus payments have been made on 10,000 pounds of contained uranium oxide less the number of pounds, if any, accepted by stations or mills (or any other uranium ore processing plants) from that mining property between April 9, 1948 and February 28, 1951, inclusive.

(f) *Ores for which bonus payments will be made.* Ores for which bonus payments will be made must have been delivered to and paid for by either a station or mill. However, in special cases, bonus payments may be made for ores which have been accepted by the station or mill but for which payment is still pending. Bonus payments will not be made for ores which a station or mill refuses to accept. The weights and final assays made to ascertain the amount of payment due from the station or mill shall be used to determine the amount of bonus payments under this section.

(g) *Which mining properties are eligible.* In order for a mining property to be eligible for bonus payments under this section,

(1) As required by paragraph (e) of this section, the total quantity of uranium oxide as contained in ore accepted by stations or mills (or any other uranium ore processing plants) from that property between April 9, 1948 and February 28, 1951, inclusive, must have been less than 10,000 pounds; and

(2) The property must be within the United States, its territories, possessions or the Canal Zone; and

(3) The property must be certified by the Commission as eligible using the following criteria as guides:

(i) *Purpose of the bonus.* The purpose of the bonus is to encourage and assist the development of new sources of domestic uranium production.

(ii) *Character of mining property.* The mining property may consist of a placer or lode location, or if not covered by location, a tract which the Commission finds to be comparable or otherwise appropriate. However, an entire holding consisting of contiguous locations or tracts will be regarded as only a single eligible unit of mining property if the locations or tracts are held in common in the manner set forth in the following paragraph.

(iii) *Title or interest of the holder of the property.* The title or interest in the mining property should be one of ownership or lawful possession of mining rights. This type of holding will generally be that of an owner or leaser (lessee). It is recognized that there are various arrangements such as split check leases, piece rate contracts and the like whereby persons either as employees or independent contractors conduct mining operations on designated areas of property held by another who also supplies certain of the mining services or equipment or both and who receives in return a percentage of the proceeds of the ore produced. In the case of such arrangements, the person who grants the right to conduct these mining operations will be considered as the holder of the mining property although others perform mining operations on it.

(iv) *Minimum size of mining property.* The mining property, if it is made up of a location or locations, should contain at least 15 acres. The minimum size of lands on Indian reservations will be established by the Commission after consultation with the Bureau of Indian Affairs of the Department of Interior. The minimum size of other mining properties will be established by the Commission in individual cases in the light of the purpose of the bonus.

(v) *Subdivision or consolidation of property.* Since the division of existing mining properties into smaller units might have the effect of increasing bonus payments without advancing the purpose of the bonus program, division of a single unit of mining property on or after March 1, 1951, will not be recognized in

determining its eligibility for bonus payments under this section. In addition, consolidation or merger of contiguous mining properties on or after March 1, 1951, will not affect the eligibility of the separate properties for bonus payments.

(vi) *Special cases.* Since the above criteria are merely guides to assist the Commission in its decisions, areas which fail to meet all of the criteria may be certified by the Commission as eligible in special cases where it is determined that the deviations are not substantial or that their disqualification would cause serious inequities. In determining whether or not serious inequities would result, the physical characteristics and location of the deposit may be a factor. Under appropriate circumstances, a segment of a certified property may itself be certified as eligible. On the other hand, technical compliance with all the above criteria will not necessarily make a property eligible.

Properties leased to private operators by the Commission will not be eligible for bonus payments except under special circumstances and as provided for in the lease.

(h) *Determination by the Commission.* The Commission expressly reserves the right to decide the amount of any bonus payments to be made, whether the property should be certified as an eligible mining property, the person to whom the bonus should be paid and whether for any reason a bonus is not payable. These decisions shall rest in the sole discretion of the Commission and shall be final and conclusive. The Commission further reserves the right to establish procedures to carry out the bonus program. Any bonus payments made hereunder with respect to particular ores shall be the only such bonus payments made for those ores. The Commission will not consider any other application for bonus payments on those ores.

(i) *Application for certification.* Applications for certification of a property as eligible should be made to:

U. S. Atomic Energy Commission,
Colorado Raw Materials Office,
P. O. Box 270,
Grand Junction, Colorado.

The application should include a description of the mining property indicating its size, location, ownership, interest of the applicant and public recording. There should also be included a statement by the applicant that to the best of his knowledge the total quantity of uranium oxide contained in ore accepted by stations or mills (or any other uranium ore processing plants) from that property between April 9, 1948, and February 28, 1951, inclusive, was less than 10,000 pounds. A form prescribed by the Commission and obtainable at a station or mill should be used for supplying the above information. Certification by the Commission will be a prerequisite to payment of the bonus, but after certification, payments will be made for ores which are delivered before certification and which meet the requirements of this section. Normally certification will not be made before uranium deposits have been discovered on the property, but the Commission may issue certifications prior to discovery in special cases. The Commission reserves the right to revoke a certification if it determines that its issuance was based on fraud, misrepresentation or mistake or if the requirements of this section are not complied with. The Commission may require such information and right to make such inspections of the mining property as it finds necessary for the purpose of determining its eligibility for bonus payments and the amounts to be paid.

NOTE: Misrepresentation or falsification of facts in an application for certification or for bonus payments may subject the offender to criminal penalties under pertinent provisions of the United States Code including section 1001 of Title 18. Any such offenses also will disqualify the offender from receiving bonus payments.

(j) *Application for bonus payment.* Application for a bonus payment should be made on a prescribed form (obtainable at a station or mill) at intervals not more frequent than once a month during a period when ore deliveries from the property are believed to meet the requirements of this section. Applications may be addressed as follows:

U. S. Atomic Energy Commission,
Colorado Raw Materials Office,
P. O. Box 270,
Grand Junction, Colorado.

In addition to the application, the Commission may require such other information as it finds necessary.

(k) *Who may apply for bonus payments.* The person (other than a royalty payee or the like) who has lawfully received payment from a station or mill for the delivery of ore from a certified mining property may apply for bonus payments under this section. However, in special cases, the applications of persons whose ores have been accepted by the station or mill but for which payment is still pending will be considered.

(l) *Mill processing ores from its own mines.* In the event that an operator of a mill processes in the mill ores which it obtains from mining properties operated by it, the Commission will pay the bonus under the conditions set forth in this section to the same extent as if the mining properties were operated by another person who delivered ore to the mill and received payment for it from the mill. In such case, however, the weights and assays used to fix the amount of payment due as a bonus under this section shall be determined in accordance with practices satisfactory to the Commission.

(m) *Definitions.* As used in this section,

(1) "Commission" means the Atomic Energy Commission created by the Atomic Energy Act of 1946, or its duly authorized representative.

(2) "Person" means any individual, corporation, partnership, firm, association, trust, estate, public or private institution, group, or combination thereof. The term "person" shall not include the U. S. or any agency thereof or any officer or employee of the Commission.

(n) *Commission ore-buying stations and qualified uranium mills.* (1) *Stations.* The following are Commission ore-buying stations (that is, ore-buying stations operated on behalf of the Commission):

American Smelting & Refining Co., Monticello, Utah.
American Smelting & Refining Co., Marysvale, Utah.

(2) *Mills.* The following are qualified uranium mills:

United States Vanadium Company, Uravan, Colo.
United States Vanadium Company, Rifle, Colo.
Climax Uranium Co., Grand Junction, Colo.
Vanadium Corporation of America, Durango, Colo.
Vanadium Corporation of America, Naturita, Colo.
Vanadium Corporation of America, Hite, Utah.
Vitro Chemical Co., 600 West 33d St. South, Salt Lake City, Utah.

(3) *Modifications.* These lists may be modified from time to time by public announcement of the Commission.

(o) *Inquiries and communications.* Inquiries about this section and all other communications should be addressed as follows:

U. S. Atomic Energy Commission,
Colorado Raw Materials Office,
P. O. Box 270,
Grand Junction, Colo.

(p) *Records, rules and regulations.* The Commission may require applicants for bonus payments under this section to keep for Commission inspection such records concerning production and deliveries of uranium ores for which application is made as it finds proper and may issue such additional rules and regulations relating to bonus payments as it finds necessary or desirable.

(60 Stat. 755–775; 42 U. S. C. 1801–1819)

Dated at Washington, D. C., this 27th day of June 1951.

By order of the Commission.

M. W. BOYER,
General Manager.

[F. R. Doc. 51-7522; Filed, June 29, 1951; 8:53 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 5353]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

MIAMI MARGARINE CO. ET AL.

Subpart—*Advertising falsely or misleadingly:* § 3.25 *Competitors and their products;* § 3.170 *Qualities or properties of product or service;* § 3.205 *Scientific or other relevant facts;* § 3.280 *Unique nature or advantages.* Subpart—*Disparaging competitors and their products—Competitors' products;* § 3.1015 *Quality.* In connection with the offer for sale, sale, or distribution of Nu-Maid margarine, or any other product of substantially similar composition or possessing substantially similar properties, whether sold under the same name or under any other name, disseminating, etc., any advertisements by means of the

United States mails, or in commerce, or by any means to induce, etc., directly or indirectly, the purchase in commerce, etc., of said product, which advertisements represent, directly or by implication, (a) that the said product is the only margarine product suitable for table use; (b) that a margarine product is not suitable for table use unless it is labeled "Table-Grade"; (c) that the said product, because of its Vitamin A content, provides the user thereof with increased pep, energy, vitality, vigor, strength or endurance; (d) that Vitamni A is properly characterized as the "pep-up" vitamin, or that Vitamin A provides the user thereof with increased pep, energy, vitality, vigor, strength or endurance; or, (e) that the said product has any therapeutic value in the treatment of disgestive troubles; prohibited.

(Sec. 6, 38 Stat. 721, 15 U. S. C. 46, sec. 5, 38 Stat. 719, as amended; 15 U. S. C. 45) [Cease and desist order, the Miami Margarine Company et al., Docket 5353, April 19, 1951]

In the Matter of The Miami Margarine Company, a Corporation, and The Ralph H. Jones Company, a Corporation

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the respondents' answer thereto, testimony and other evidence in support of and in opposition to the allegations of the complaint introduced before trial examiners of the Commission theretofore duly designated by it, the recommended decision of a substitute trial examiner duly designated by the Commission for the purpose of preparing and submitting his recommended decision upon the record, the trial examiner previously designated being unavailable (briefs having been waived and oral argument not having been requested), and the Commission having made its findings as to the facts and its conclusion that the respondents have violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, the Miami Margarine Company, a corporation, and The Ralph H. Jones Company, a corporation, and their respective officers, representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of Nu-Maid margarine, or any other product of substantially similar composition or possessing substantially similar properties, whether sold under the same name or under any other name, do forthwith cease and desist from:

1. Disseminating, or causing to be disseminated, any advertisement, by means of the United States mails, or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, which advertisement represents, directly or by implication:

(a) That the said product is the only margarine product suitable for table use.

(b) That a margarine product is not suitable for table use unless it is labeled "Table-Grade".

(c) That the said product, because of its Vitamin A content, provides the user thereof with increased pep, energy, vitality, vigor, strength or endurance.

(d) That Vitamin A is properly characterized as the "pep-up" vitamin, or that Vitamin A provides the user thereof with increased pep, energy, vitality, vigor, strength or endurance.

(e) That the said product has any therapeutic value in the treatment of digestive troubles.

2. Disseminating, or causing to be disseminated, any advertisement, by any means, for the purpose of inducing, or which is likely to induce, directly or indirectly, the purchase in commerce, as "commerce" is defined in the Federal Trade Commission Act, of such product, which advertisement contains any of the representations prohibited in the preceding paragraph 1 (a), (b), (c), (d) and (e).

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with it.

Issued: April 19, 1951.

By the Commission.

[SEAL] D. C. DANIEL, *Secretary.*

[F. R. Doc. 51-7592; Filed, July 2, 1951; 8:49 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T. D. 52759]

PART 10—ARTICLES CONDITIONALLY FREE, SUBJECT TO A REDUCED RATE, ETC.

PROFESSIONAL EQUIPMENT AND TOOLS OF TRADE

Sections 10.31 and 10.36, Customs Regulations of 1943, relating to the entry under 6-months' bond of professional equipment and tools of trade imported for his own use by a nonresident sojourning temporarily in the United States, amended.

In order to facilitate the entry and clearance of professional equipment and tools of trade imported for his own use by a nonresident sojourning temporarily in the United States, it is desired that such articles be examined and passed by an inspector at the place of arrival on a baggage declaration under section 308 (9), Tariff Act of 1930, as amended, without the requirement of surety on the bond filed or a cash deposit in lieu of surety.

Provision should be made, however, for the denial of the privileges accorded by § 10.36 to any nonresident who, through fraud or culpable negligence, has failed to meet the requirement of his bond.

In order to accomplish the foregoing, §§ 10.31 and 10.36, Customs Regulations of 1943 (19 CFR 10.31 and 10.36), as amended, are hereby further amended as follows:

1. Section 10.31 (c) is amended by deleting "of the tariff act" in the last sentence and inserting in lieu thereof "or 308 (9) of the Tariff Act of 1930, as amended,"

(Sec. 308, 46 Stat. 690, as amended; 19 U. S. C. 1308)

2. Section 10.36 is amended by changing the period at the end of the headnote thereof to a semicolon and adding thereto "professional equipment and tools of trade" and paragraphs (a) and (c) are amended to read as follows:

(a) Samples accompanying a commercial traveler who presents an adequate descriptive list or a certified invoice and professional equipment and tools of trade imported in his baggage for his own use by a nonresident sojourning temporarily in the United States may be entered on the importer's baggage declaration in lieu of formal entry and examination and may be passed under section 308 (3) or 308 (9), Tariff Act of 1930, as amended, at the place of arrival in the same manner as other passengers' baggage. The examination may be made by an inspector who is qualified, in the opinion of the collector, to determine the amount of the bond required by § 10.31 (c) to be filed in support of the entry. If the articles are a commercial traveler's samples and exceed $500 in value, a certified invoice or a descriptive list certified by an American consul shall be furnished.

* * * * *

(c) The privilege of clearance of commercial travelers' samples or professional equipment or tools of trade imported for his own use by a nonresident sojourning temporarily in the United States on a baggage declaration under bond without surety or cash deposit shall not be accorded to a commercial traveler or such nonresident who, through fraud or culpable negligence, has failed to comply with the provisions of such a bond in connection with a prior arrival. Such a commercial traveler or nonresident shall be required to file a formal entry under section 308 (3) or 308 (9), Tariff Act of 1930, as amended, with a bond supported by a surety or cash deposit in lieu of surety.

(Secs. 308, 498, 624, 46 Stat. 690, as amended, 728, 759; 19 U. S. C., 1308, 1498, 1624)

[SEAL] D. B. STRUBINGER, *Acting Commissioner of Customs.*

Approved: June 27, 1951.

JOHN S. GRAHAM, *Acting Secretary of the Treasury.*

[F. R. Doc. 51-7593; Filed, July 2, 1951; 8:50 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 22, Amdt. 1 to Supplementary Regulation 10]

CPR 22—MANUFACTURERS' GENERAL CEILING PRICE REGULATION

SR 10—POSTPONEMENT OF PRICE CALCULATIONS FOR CERTAIN RUBBER PRODUCTS

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.),

Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), Amendment 1 to SR 10 to CPR 22 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment adds 3 sections to SR 10 to CPR 22 postponing the effective date of CPR 22 as to all manufacturers of certain mechanical rubber goods, tire repair materials and reclaimed rubber. In the first two groups the manufacturers concerned have filed OPS Public Form 15 or 16 showing their cost adjustment factors calculated under CPR 22. The Office of Price Stabilization is now in the process of analyzing the data submitted so as to develop industry-wide cost adjustment factors such as were set forth in SR 8 to CPR 22. The processing of these figures will not be entirely completed by July 2, 1951, and so this amendment extends the effective date of CPR 22 for 4 weeks or until the factors are issued by OPS.

As to reclaimed rubber, OPS is preparing a tailored regulation covering this industry which will be issued shortly. It would be undesirable to require manufacturers to make calculations under CPR 22 which would be operative only until such tailored regulation is issued, since such regulation will eliminate many of these calculations. Therefore, this amendment directs that manufacturers of reclaimed rubber retain their present GCPR ceiling prices until the tailored regulation is issued.

AMENDATORY PROVISIONS

Supplementary Regulation 10 to CPR 22 is amended by adding the following sections:

SEC. 4. *Postponement of ceiling price calculations for manufacturers of certain mechanical rubber goods.*—If you are a manufacturer of the following listed mechanical rubber goods, as defined below, your ceiling prices for such items are your GCPR ceiling prices, notwithstanding the provisions of CPR 22, and shall continue to be so until July 30, 1951, or until this section is revoked, whichever is earlier.

a. Hard rubber parts: This group is limited to ground rods, sheets, ground tubes, pipes, fittings, and smoking pipe bits.

b. Battery parts: This group is limited to storage battery containers, automotive; storage battery cover parts, automotive; composition storage battery containers.

c. Latex foam rubber: This group is limited to head pillows, mattresses, solid uncored slabs, cored slabs, molded shaped cushions, small shapes such as shoulder pads and arm rests, automotive seat topper pads for original equipment.

d. Chemically blown sponge: This group is limited to slab sheets, continuous rolls, cut stock, windlace rod, weatherstripping, arm rests and pads, and miscellaneous molded parts.

e. Tank linings and rubber covered rolls: This group is limited to rubber linings for tanks, tank cars, pipes and fittings. Also paper and steel mill rolls.

f. Graphic arts: This group is limited to engravers' gums, unvulcanized printers' gums, offset blankets, and newspaper blankets.

g. Mats and matting: This group is limited to corrugated rubber, cloth inserted, cloth one side, switchboard, and stair treads.

h. Hydraulic brake cups and parts and boots.

i. Automotive mats—original equipment.

j. Typewriter platens.

k. Molded tires—zero pressure: This group is limited to toy tires, small lawn mowers tires, and industrial and agricultural tires.

SEC. 5. *Postponement of ceiling price calculations for manufacturers of tire repair materials.* If you are a manufacturer of tire repair materials, your ceiling prices for such items are your GCPR ceiling prices, notwithstanding the provisions of CPR 22, and shall continue to be so until July 30, 1951 or until this section is revoked, whichever is earlier.

SEC. 6. *Postponement of ceiling price calculations for manufacturers of reclaimed rubber.* (a) If you are a manufacturer of reclaimed rubber, as defined in paragraph (b) of this section, your ceiling prices for such items are your GCPR ceiling prices, notwithstanding the provisions of CPR 22, and shall continue to be so until this section is revoked.

(b) Reclaimed rubber means all kinds, grades and qualities of the rubber material recovered from any vulcanized scrap rubber products.

(Sec. 704, Pub. Law 774, 81st Cong. Interpret or apply Title IV, Pub. Law 774, 81st Cong.; E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Sup.)

Effective date. This amendment shall become effective July 2, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JUNE 29, 1951.

[F. R. Doc. 51-7687; Filed, June 29, 1951; 4:06 p. m.]

[Ceiling Price Regulation 22, Supplementary Regulation 12]

CPR 22—MANUFACTURERS' GENERAL CEILING PRICE REGULATION

SR 12—EXTENSION OF EFFECTIVE DATE FOR PARTICULAR COMMODITIES

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Supplementary Regulation 12 to Ceiling Price Regulation 22 is hereby issued.

STATEMENT OF CONSIDERATIONS

This supplementary regulation extends at the option of the manufacturer, the effective date of Ceiling Price Regulation 22 for various commodities. These are commodities for which the Office of Price Stabilization expects to issue shortly regulations incorporating new pricing techniques of a substantially different character which it is believed are better suited to the particular commodities concerned than those presently provided by CPR 22. Unless the effective date of CPR 22 is extended, manufacturers of commodities likely to be covered by these specially tailored regulations might be required to compute their ceiling prices twice on a substantially different basis. To avoid imposing this double burden, it has been decided to extend the effective date of CPR 22 so as to permit the final development and issuance of these regulations. Manufacturers affected by this supplementary regulation will continue to sell at their present ceiling prices, determined under the General Ceiling Price Regulation. However, any manufacturer who has completed his calculations under CPR 22 and desires to come under it for the interim period is free to do so.

An extension of the effective date is also provided for certain other commodities, principally watches with imported movements, concerning which there has been considerable misunderstanding as to whether they were covered by CPR 22. Because doubts as to whether these commodities were "manufactured commodities" have only recently been resolved, many manufacturers have been unaware of their obligation to comply with the price computations required by CPR 22.

In the judgment of the Director of Price Stabilization, the provisions of this supplementary regulation are generally fair and equitable and are necessary to effectuate the purposes of the Title IV of the Defense Production Act of 1950.

In formulating this supplementary regulation, the Director has consulted with industry representatives to the extent practicable under existing circumstances and has given consideration to their recommendations.

REGULATORY PROVISIONS

SECTION 1. *Optional postponement of effective date of CPR 22*—(a) *Optional period.* Notwithstanding any provisions of Ceiling Price Regulation 22, you may, until further action by the Director of Price Stabilization elect not to use Ceiling Price Regulation 22 as to any of the commodities listed in paragraph (b) of this section and to continue to use as to these commodities ceiling prices determined under the General Ceiling Price Regulation. You may not, however, continue to use ceiling prices determined under the General Ceiling Price Regulation for any commodities covered by a numbered regulation or supplementary regulation which becomes effective on or after the date of issuance of this supplementary regulation.

(b) *Commodities covered by this supplementary regulation.*

1. Bolts, nuts, screws and rivets.

2. Refractories.

3. Metallic collapsible tubes, used as containers for dentrifices, pharmaceutical products, cosmetics, etc.

4. Metal or alloyed wire and cable, whether bare, solid or stranded, braided or knitted, covered or insulated.

5. Plumbing and drainage specialties except "plumbing fixture trim". Plumbing and drainage specialties are items specifically designed to meet local or national plumbing code requirements, as, for example:

Closet bends.
Clean out ferrules.
Back water valves (ball or flap.)
Floor drains.
Roof drains.
Shower drains.
Stock base fittings.
Santific tees.

Bell traps.
Vent caps.
Ferrules.
Closet flanges.
Drum traps.
Sink traps (cast iron only).
Conductor bends.
Back pressure flow valves and sewer valves.
Roof drains sumps.
Urinal drains.
Solder nipples.
Sisson or insertable joints.
Solder bushings.
Metal body interceptors for grease, gasoline, oil, hair, sediment and plaster.

6. Builders hardware, including the following:

Awning hardware including awning pulleys.
Bright wire hardware.
Builders hardware, including miscellaneous shelf hardware.
Cabinet hardware and locks.
Carded builders hardware.
Casket and casket shell hardware.
Garage hardware.
Key blanks.
Lavatory stall hardware.
Locks and lock sets.
Mail boxes (rural and residential).
Overhead door hardware.
Sash hardware, including sash pulleys.
Screen and screen door hardware, including grills and guards.
Show case hardware.
Window guards.
Butts and butt hinges.
Padlocks.
Checking floor hinges and liquid door closers.
Fire exit bolts.
Unit locks.
Night latches and dead locks.
Door holding devices.
Luggage locks and hardware.
Spring hinges.
Sash balances.
Upward acting doors and hardware.
Strap and tee hinges.
Screw hooks and straps.
Screw bolts and straps and hasps.

7. The following fittings and valves made from any metal or plastic, except cast iron soil pipe fittings or cast iron pressure pipe fittings:

Grease and oil pressure valves and fittings except automotive valves and valves covered by Ceiling Price Regulation 30.
Fittings, pipe and tubing, except conduit fittings.
Hose fittings, except garden hose fittings.
Nipples.
Sprinkler system fittings and valves, fire and lawn, except fittings and valves for portable lawn sprinklers.
Valves, automatic and manually operated, except tire valves, automotive valves and valves covered by Ceiling Price Regulation 30.

8. Ice.

9. Custom molded plastic products and custom fabricated plastic products: The term "custom molded plastic products" includes but is not limited to articles produced by injection molding, extrusion, compression molding, plunger molding, transfer molding, monofilament extrusion and blow molding. The term "custom fabricated plastic products" is limited to products fabricated from plastic sheets, rods, tubes and laminates. Both custom molded and custom fabricated plastic products are products made to one customer's specifications and sold only to that customer. The term "plastic" means any of the natural or synthetic organic materials made from cellulose, proteins, hydrocarbons or resins which can be molded under heat with or without pressure, under pressure alone, extruded, cast or fabricated into various shapes. Plastic does not include crude or synthetic rubber or balata.

10. Petroleum products: This term includes products derived from crude petroleum or natural gas, except for the following products: carbon black; resinous, viscous or elastic polymers; chemicals, such as styrone, synthesized from petroleum or natural gas hydrocarbons; and manufactured specialty products, such as candles, containing a major portion of petroleum derivatives but produced primarily by non-petroleum industries.

11. Watches cased in the United States containing imported movements. (Watches with both imported cases and imported movements are not under CPR 22 but are covered by CPR 31, Imports.)

12. Popcorn.

13. Plain shelled peanuts: This term means shelled peanuts that have not been further processed and that have not been packed in consumer-size packages.

14. Agricultural insecticides, fungicides and herbicides: This term includes dusts, spray materials, fumigants, poison baits and similar commodities used for the preparation of controlling insects on plants, trees, seeds, bulbs, crops, poultry and farm animals; for controlling fungus diseases of plants, trees, seeds, bulbs and crops; similar commodities used for the purpose of controlling weeds and other obnoxious plant growth in connection with crops and commercial plantings; and nutritional sprays.

15. Printing inks: This term means solutions or suspensions of dye stuffs or pigments designed for use in typographic, planeographic, intaglio, or silk screen processes that do not include materials used primarily to color or decorate woven factories nor materials, commonly called "inks", such as writing fluids, ball pen inks, drawing inks, stamp pad inks, show card inks, and stencil inks which are customarily applied by processes other than printing.

16. Mattresses and matching box springs customarily sold at identical prices.

17. Anti-freeze.

18. All soaps, cleansers, and synthetic detergents (and the products thereof), other than those covered by CPR 10.

19. The following printing products: Bound blank books; loose leaf binders, covers and fillers; index tabs, etc.; greeting cards, tags, seals and related products; social stationary, including announcements, invitations, calling cards, and the like; tablets, pads and related products; commercial paper supplies including forms, blotters, labels and the like; wallpaper; and the products of photo-engraving, typesetting, electrotyping, stereotyping and plate making.

(Sec. 704, Pub. Law 774, 81st Cong. Interprets or applies Title IV, Pub. Law 774, 81st Cong.; E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Supp.)

Effective date. This supplementary regulation shall become effective June 29, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JUNE 29, 1951.

[F. R. Doc. 51-7685; Filed, June 29, 1951; 4:06 p. m.]

[Ceiling Price Regulation 30, Supplementary Regulation 3]

CPR 30—MACHINERY AND RELATED MANUFACTURED GOODS

SR 3—OPTIONAL POSTPONEMENT OF EFFECTIVE DATE FOR MANUFACTURERS OF CERTAIN COMMODITIES

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Supplementary Regulation 3 to Ceiling Price Regulation 30 is hereby issued.

STATEMENT OF CONSIDERATIONS

This supplementary regulation extends, at the option of the manufacturer, the effective date of Ceiling Price Regulation 30 insofar as it applies to insulated electrical wire and cable and fabricated structural shapes, plates and related products.

The Office of Price Stabilization has under consideration regulations specially designed for the commodities affected by this action, but it appears that work thereon cannot be completed before July 2, 1951, the effective date of Ceiling Price Regulation 30. As presently contemplated these regulations will include pricing techniques differing from those set forth in Ceiling Price Regulation 30 and manufacturers might be required to compute their ceiling prices twice within a relatively short period of time unless they are relieved of the necessity of complying with that regulation. In order to avoid this burden, it has been determined to extend the effective date of Ceiling Price Regulation 30 for a sufficient period to permit decision on the specific regulations. Manufacturers affected by this action will continue, if they elect not to comply with Ceiling Price Regulation 30, to determine their ceiling prices under the General Ceiling Price Regulation.

REGULATORY PROVISIONS

SECTION 1. *Optional postponement of effective date of CPR 30.*—(a) *Optional period.* Notwithstanding any provisions of Ceiling Price Regulation 30, you may, until further action by the Director of Price Stabilization, elect not to use Ceiling Price Regulation 30 as to any of the commodities listed in paragraph (b) of this section and to continue to use as to those commodities ceiling prices determined under the General Ceiling Price Regulation.

(b) This supplementary regulation applies to you if you are a manufacturer of any of the following commodities:

(1) Insulated electrical wire and cable.

(2) Fabricated structural shapes, plates, and related products. This term includes products which are (i) fabricated from ferrous or nonferrous structural shapes, plates, bars, sheet, pipe mill products, and/or tubing; (ii) custom engineered; and (iii) custom fabricated to the buyer's specifications. The term does not include any products which are standardized and manufactured on a production line basis.

(Sec. 704, Pub. Law 774, 81st Cong. Interpret or apply Title IV, Pub. Law 774, 81st Cong., E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR 1950 Supp.)

Effective date. This Supplementary Regulation 3 shall become effective June 29, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JUNE 29, 1951.

[F. R. Doc. 51-7686; Filed, June 29, 1951; 4:06 p. m.]

[Ceiling Price Regulation 54]

CPR 54—Aluminum Scrap and Secondary Aluminum Ingot

Pursuant to the Defense Production Act of 1950 (Public Law 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Ceiling Price Regulation 54 is issued.

STATEMENT OF CONSIDERATIONS

This regulation establishes ceiling prices for aluminum scrap and secondary aluminum ingot.

Aluminum scrap is an important source of metal ultimately utilized in a wide variety of products important to the defense program as well as to the civilian economy. Primary aluminum producers use scrap to blend with their supplies of primary metal. The producers of secondary aluminum ingot, however, depend on scrap as their principal raw material, using primary metal only as a means of obtaining ingot with the desired combination of metals. About twenty-five percent of the total aluminum production in the United States is derived from scrap materials.

The outbreak of hostilities in Korea and the inauguration of our defense program sharply increased the demand for aluminum and upset the price relationships which ordinarily prevail in the industry. In the period between June 24, 1950, and January 26, 1951, the date of issuance of the General Ceiling Price Regulation, the prices of secondary aluminum ingot and aluminum scrap rose more sharply than the prices for primary metal and during the base period of that regulation (December 19, 1950, to January 25, 1951, inclusive) the prevailing price of primary aluminum ingot was about 20 cents per pound while secondary ingot was being sold at prices ranging between 30 to 35 cents per pound and scrap was being sold at 25 cents per pound. These abnormal relationships, reflected in the ceiling prices established by the General Ceiling Price Regulation have resulted in distortion in the movement of secondary aluminum ingot and aluminum scrap and have caused some hardship to consumers of these materials. These circumstances, and the accompanying confusion among buyers and sellers, constitute a serious threat to the output of essential military and civilian products and are an impediment to the allocation program for aluminum.

The ceiling prices established in this regulation are designed to correct this situation by rolling back the prices of secondary aluminum ingot and aluminum scrap to levels which reflect the value of their metallic content in terms of the ceiling prices prevailing for primary aluminum. Thus the new ceiling prices for grades of secondary ingots having the same alloy designation as grades of primary ingot are the same as the ceiling prices for the latter products established under the General Ceiling Price Regulation and the ceiling prices for other grades of secondary ingot have been established at corresponding levels in terms of the relative value of their metallic content. The ceiling prices for the various grades of aluminum scrap have been established at levels below the prices of secondary ingot which, in the opinion of the Director, will provide an adequate margin for the operations of the smelters and will encourage the collection and segregation of vitally needed scrap materials.

Although there does not appear to have been any established trade practice in the marketing of aluminum scrap insofar as quantity premiums are concerned, it does appear that sellers ordinarily are able to obtain some premium in connection with the sale of relatively large lots of such material. In recognition of this fact and in order to encourage the accumulation and distribution of needed scrap, this regulation provides for quantity premiums by establishing different levels of ceiling prices on the basis of four quantity brackets with the level of prices increasing as the quantity delivered increases.

The regulation applies to all persons who sell aluminum scrap and provides no premium for inter-dealer sales. Although some representatives of dealers in aluminum scrap have urged that such a premium be established, in effect, by permitting a dealer to charge, on sales to persons other than a consumer, the ceiling price applicable to the highest quantity bracket regardless of the quantity actually sold, it has been determined that such a provision would to some extent distort the normal flow of aluminum scrap and would not be consistent with the objectives of the stabilization program. It appears that smelters of secondary aluminum ingot, the principal consumers of aluminum scrap, ordinarily buy a substantial portion of their scrap in relatively small quantities from dealers of industrial generators of such material. The proposal mentioned above would permit any dealer to outbid a smelter for such small lots, and the latter thus would be unable to obtain material from his usual sources of supply.

This regulation also permits, for 15 days, deliveries of aluminum scrap at a price in excess of ceiling prices in order to carry out contracts entered into before issuance of the regulation. Such deliveries may be made, however, only if the material so delivered was acquired by the seller at prices in excess of the ceiling and if before the issuance date it had been received by or was in transit to the seller. Similarly, the regulation permits, for 45 days and subject to certain conditions, deliveries of secondary aluminum ingot at prices in excess of the ceiling in order to allow smelters to work out their high cost scrap inventories. The periods allowed for contract completion were determined upon after consideration of the relevant factors affecting the movement and marketing of aluminum scrap and the secondary aluminum ingot processed therefrom, and in the opinion of the Director they are adequate to prevent undue loss to sellers because of the ceiling price rollbacks accomplished by this regulation.

It is believed that the ceiling prices established in this regulation will restore the normal price relationships which prevailed in the industry, will remove the factors which have distorted the movement of commodities covered and will alleviate the hardship which some buyers have suffered. In the judgment of the Director of Price Stabilization, the provisions of this ceiling price regulation are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950.

So far as practicable, the Director has given due consideration to the national effort to achieve maximum production in furtherance of the Defense Production Act of 1950; to prices prevailing during the period from May 24, 1950, to June 24, 1950, inclusive; and to relevant factors of general applicability.

In formulating this ceiling price regulation, the Director consulted with industry representatives, including trade association representatives, to the extent practicable under existing circumstances, and has given full consideration to their recommendations.

The provisions of this ceiling price regulation and their effect upon business practices, cost practices, or means or aids to distribution in the industry have been considered. It is believed that no changes in such practices or methods have been effected. To the extent, however, that the provisions of this regulation may compel changes in such practices or methods, such provisions are necessary to prevent circumvention or evasion of the regulation and to effectuate the policies of the act.

REGULATORY PROVISIONS

Sec.

Authority: Sections 1 to 11 issued under sec. 704, Pub. Law 774, 81st Cong. Interpret or apply Title IV, Pub. Law 774, 81st Cong., E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR 1950 Supp.

Section 1. *Coverage of this regulation.*—(a) *Commodities covered.* This regulation establishes ceiling prices for aluminum scrap and secondary aluminum ingot.

(b) *Persons covered.* This regulation applies to any person who sells the commodities covered by this regulation,

including importers and exporters. It also applies to any person who buys such commodities in the regular course of trade or business.

(c) *Geographical applicability.* This regulation applies in the 48 States of the United States, its Territories and Possessions, and the District of Columbia.

SEC. 2. *Prohibitions.*—(a) *Against transactions above ceiling prices.* Regardless of any contract or other obligation, except as provided in section 3 of this regulation, on and after the effective date of this regulation no person shall sell or deliver, or buy or receive in the regular course of trade or business, any aluminum scrap or secondary aluminum ingot at a price in excess of the applicable ceiling price set forth in this regulation. No person shall offer, solicit, attempt, or agree to do any of the foregoing.

Lower prices than those set forth in this regulation may be charged, demanded, paid, or offered.

(b) *Against tie-in transactions.* No person, unless otherwise permitted by this subparagraph, shall sell any of the commodities covered by this regulation on condition (1) that the buyer purchase from any person any product or service, or (2) that the buyer sell to any person any product or service. No person who buys any of the commodities covered by this regulation shall participate in any such tie-in transactions. Nothing in this paragraph shall be construed to prohibit any person from entering into toll or conversion agreements.

(c) *Against evasion.* No person shall evade or circumvent the provisions of this regulation by direct or indirect methods in connection with the sale, purchase, delivery, or transfer of the commodities covered by this regulation, alone or in conjunction with any other product, or by way of any commission, service, or transportation charge or discount, premium or other privilege, or by up-grading, trade understanding or otherwise.

SEC. 3. *Permission to carry out certain contracts.* (a) Regardless of any other provisions of this regulation, until July 14, 1951, any person may deliver aluminum scrap covered by this regulation at a price in excess of the ceiling price established herein in order to carry out any contract entered into before June 29, 1951, if the material so delivered was purchased at a price in excess of the ceiling price established herein, and if before June 29, 1951, it was received by or was in transit to the person making delivery.

(b) Regardless of any other provision of this regulation, until August 13, 1951, any seller may deliver secondary aluminum ingot at a price in excess of the ceiling price established herein in order to carry out any contract entered in before June 29, 1951, provided that:

(1) Before June 29, 1951, the seller bought or contracted to buy aluminum scrap or secondary aluminum ingot at prices in excess of the ceiling prices established herein and such scrap materials or ingot were received by, or were in transit to, the seller before July 14, 1951; and

(2) The quantity of secondary aluminum ingot delivered by the seller after June 28, 1951 pursuant to the provisions of this paragraph does not exceed the weight of the aluminum scrap or secondary aluminum ingot which were received by, or were in transit to the seller, before July 14, 1951, and for which the seller paid prices in excess of the ceiling prices established in this regulation.

SEC. 4. *General pricing provisions for aluminum scrap.*—(a) *Pricing basis.* Section 5 of this regulation sets forth ceiling prices for aluminum scrap. Except for wrecked aircraft and irony aluminum, these prices apply f. o. b. point of shipment, but the delivered cost to the buyer may not exceed the ceiling delivered price set forth in section 6 of this regulation. The ceiling prices set forth in section 5 of this regulation for wrecked aircraft and irony aluminum apply on a delivered basis.

(b) *Standards of cleanness and freedom from contaminating material.* The ceiling prices established for each kind and grade of aluminum scrap apply to material which meets the applicable standard for cleanness and freedom from contamination set forth in Circular NF-50, "Standard Classification for Nonferrous Metals" issued by the National Association of Waste Material Dealers, Inc. and effective as of April 1, 1950.

(c) *Determination of quantity bracket.* (1) This regulation sets forth different ceiling prices, per pound, for aluminum scrap on the basis of different quantity brackets. The quantity bracket applicable to any sale shall be determined on the basis of the total weight of aluminum scrap delivered by the seller within a period of three calendar days (excluding Saturdays, Sundays, and legal holidays) from one or more points of shipment to (i) a public carrier (common or contract) for transportation to the buyer, (ii) to the buyer at his receiving point by a conveyance owned or controlled by the seller, or (iii) upon a conveyance owned or controlled by the buyer. The amount of aluminum scrap delivered during any one calendar day may be counted only once in determining the quantity bracket.

(2) For the purpose of determining the applicable quantity bracket, the weight of any delivery or series of deliveries shall be determined in accordance with the following provisions:

(i) If aluminum scrap is delivered by a public carrier (common or contract), the weight to be used shall be the weight certified or accepted by such carrier; or

(ii) If aluminum scrap is delivered by a conveyance owned or controlled by the seller or buyer, the weight to be used shall be determined at the buyer's receiving point.

(d) *Computation of total charge.* The total amount which may be charged for a sale of aluminum scrap shall be the applicable ceiling price per pound for each kind or grade sold multiplied by the weight of each such kind or grade. The weight to be used in computing such total charge shall be determined in accordance with the following provisions:

(1) *Borings and turnings.* When the quantity of borings or turnings delivered by the seller during a period of three calendar days (excluding Saturdays, Sundays, and legal holidays) is 2,000 pounds or more, the weight to be used is the actual clean dry weight as determined by the first consumer. When the quantity so delivered is less than 2,000 pounds, the clean dry weight may be estimated.

(2) *Wrecked aircraft and irony aluminum.* The weight to be used shall be the weight of the aluminum alloy recovered by the buyer making the first melt of the quantity used in determining the applicable quantity bracket in accordance with paragraph (c) of this section. When the seller and buyer so agree, such weight may be determined on the basis of a melt of a representative sample amounting to at least 20 percent of such quantity. When such quantity amounts to less than 10,000 pounds, the weight of recoverable aluminum alloy as estimated by the buyer may be used.

(3) *All other aluminum scrap.* If the material is delivered by a public carrier the weight to be used shall be the weight certified or accepted by such carrier. If the material is delivered by a vehicle owned or controlled by the seller or buyer, the weight to be used shall be determined at the buyer's receiving point.

(e) *Mixed shipments.* When grades of aluminum scrap having different ceiling prices under the provisions of this regulation are shipped in one vehcile, the ceiling price for the entire shipment shall be the ceiling price applicable to the lowest priced grade contained therein unless each grade is invoiced separately and is so loaded in the vehicle that it can be readily distinguished and separately weighed.

SEC. 5. *Ceiling prices, f. o. b. point of shipment for aluminum scrap other than wrecked aircraft and irony aluminum; ceiling delivered prices for wrecked aircraft and irony aluminum scrap.*—(a) *Listed grades of aluminum scrap except reusable aluminum scrap.* (1) The ceiling price for each kind or grade of aluminum scrap listed in Table A is the applicable price set forth in that table. The prices in Table A for all grades other than wrecked aircraft and irony aluminum scrap apply f. o. b. shipping point. The prices in Table A for wrecked aircraft and irony aluminum scrap apply on a delivered basis.

Certain preparation premiums may be charged in accordance with subparagraph (2) of this paragraph.

TABLE A

Kind or grade	Price (cents per pound) 4,999 pounds or less	5,000 to 19,999 pounds	20,000 to 39,999 pounds	40,000 pounds and over
Segregated plant scrap				
Solids:				
S type copper free (2S, 3S, 4S, 50S, 60S series) except 56S	10.50	11.50	12.50	13.00
Dural S type: (14S, 17S, 24S, 25S, 72S, 75S, 76S, 78S, 142, 188, A612)	10.00	11.00	12.00	12.50
High grade (355, 356, 13, 43, A132, 32S, 750)	10.25	11.25	12.25	12.75
Low grade (11S, 12, Piston, AXS, 10S, 13S, 195, 319)	9.00	10.00	11.00	11.50
Aluminum magnesium type (56S to be free of screen and hair wire, 214, 218, 220)	7.75	8.75	9.75	10.25
Borings and turnings				
High grade (all numbers except those listed in next three items)	8.50	9.50	10.50	11.00
Low grade (12, piston, AXS, 10S, 13S, 195, 319, PM754)	7.50	8.50	9.50	10.00
Special grade (11S, 72S, 75S, 76S, 78S, A612)	7.00	8.00	9.00	9.50
Aluminum magnesium type (214, 218, 220, 56S)	6.00	7.00	8.00	8.50
Mixed plant scrap				
Solids				
Dural type (free of 72S, 75S, 76S, 78S, A612, 750)	9.00	10.00	11.00	11.50
High grade (copper free)	10.00	11.00	12.00	12.50
Solids containing 72S, 75S, 76S, 78S, A612, 750	8.50	9.50	10.50	11.00
Borings and turnings:				
Containing less than 1 percent zinc, max. mag. 1.50 percent	7.50	8.50	9.50	10.00
Containing 1 to 2 percent zinc, max. mag. 1.50 percent	6.50	7.50	8.50	9.00
Containing 2 to 5 percent zinc, max. mag. 1.50 percent	6.00	7.00	8.00	8.50
Obsolete scrap				
Pure old cable (free of steel)	10.00	11.00	12.00	12.50
Sheet and sheet utensils	7.25	8.25	9.25	9.75
Old castings and forgings	7.75	8.75	9.75	10.25
Clean pistons, free of struts	7.75	8.75	9.75	10.25
Pistons with struts	5.75	6.75	7.75	8.25
Wrecked Aircraft and Irony Aluminum				
Having an aluminum alloy recovery of:				
At least 85 percent	7.75	8.75	9.75	10.25
At least 70 percent but less than 85 percent	7.50	8.50	9.50	10.00
At least 50 percent but less than 70 percent	7.00	8.00	9.00	9.50
At least 40 percent but less than 50 percent	6.25	7.25	8.25	8.75
Sweated pig or ingot				
Al 92 min. Zn 0.30 max. Fe 0.60 max. Mg 1.50 max. Pb 0.20 max. Cu 0.60 max.	10.50	11.50	12.50	13.00
Al 87 min. Zn .50 max. Fe .70 max. Mg 1.50 max. Pb .30 max.	10.00	11.00	12.00	12.50
Al 87 min. Zn .51-1.00 Fe .71-1.00 Mg 1.50 max. Pb .30 max.	9.75	10.75	11.75	12.25
Al 87 min. Zn 1.01-1.50 Fe 1.01-1.25 Mg 1.51-1.75 Pb .31-.50	9.50	10.50	11.50	12.00
Al 87 min. Zn 1.51-2.00 Fe 1.26-1.50 Mg 1.76-2.00 Pb .31-.50	8.00	9.00	10.00	10.50
Under 87 percent aluminum or in excess of maximum limit for any one of other four elements not to exceed	7.50	8.50	9.50	10.00
Aluminum foil (not to exceed 0.006" thickness)				
Clean—new	9.50	10.50	11.50	12.00
Clean—old	6.25	7.25	8.25	8.75
All other aluminum foil scrap	5.25	6.25	7.25	7.75

(2) *Preparation premiums.* In addition to the price determined in accordance with subparagraph (1) of this paragraph, the premiums set forth in Table B may be charged when aluminum scrap is prepared as specified therein. No preparation premiums other than those set forth in Table B may be charged.

TABLE B

Preparation	Premium per pound (cents)
Baling of clippings, clean cable, foil, light weight extrusions, utensils, or old sheet aluminum	½
Briquetting of clippings, clean cable, foil, or light weight extrusions	1

(b) *Certain reusable aluminum scrap.* The ceiling price, f. o. b. point of shipment, for sheet remnants and other aluminum scrap materials which are segregated to meet the buyer's specifications, are suitable in their existing condition for further fabrication without remelting, and are sold for such use, is 22 cents per pound.

SEC. 6. *Ceiling delivered prices for aluminum scrap other than wrecked aircraft and irony aluminum.* The ceiling delivered price for aluminum, scrap, other than wrecked aircraft or irony aluminum, is the applicable price determined in accordance with sections 4 and 5 of this regulation plus a charge for transportation determined in accordance with the provisions of this section. If aluminum scrap is transported from the point of shipment to the buyer's receiving point by a public carrier (common or contract) and the buyer pays the charge made by such carrier, the applicable price determined in accordance with Sections 4 and 5 must be reduced by the amount by which the charge so paid exceeds the charge permitted by this Section.

If the actual clean dry weight of borings and turnings as determined by the first consumer establishes that such borings and turnings contained oil, water, or other forms of contamination in excess of 25 percent of the weight used in determining the applicable quantity bracket, the transportation charge set forth herein shall be reduced by the transportation charge applicable to the weight of the oil, water, or other forms of contamination in excess of 25 percent.

(a) Notwithstanding any other provisions of this section, when the point of shipment and the buyer's receiving point are located in the same switching district and aluminum scrap is delivered in a vehicle, or vehicles, owned or controlled by the seller, the transportation charge may not exceed ¼ cent per pound of scrap.

(b) When a delivery or series of deliveries which qualify for a price in the 20,000 or 40,000 pound bracket (as set forth in Table A) are made by a public carrier (common or contract), the charge for transportation may not exceed the applicable published public carrier charge based on the carload, if delivery is made by railroad, or truckload, if delivery is made by truck, rates (including transportation taxes) for transporting the quantity of aluminum scrap being priced from the point, or points, of shipment to the buyer's receiving point. In the case of a series of deliveries, the applicable published public carrier charge shall be determined on the basis of carload or truckload rates even though separate deliveries are made in less than carload or truckload quantities and such charge shall be prorated over the quantities contained in each delivery. When a single shipment of 50,000 pounds or more is made in one railroad car and the published minimum carload rate is in excess of 50,000 pounds, a charge equal to the actual transportation cost (including transportation taxes) may be made.

(c) When a delivery or series of deliveries which qualify for a price in the 20,000 or 40,000 pound bracket (as set forth in Table A) are made in a vehicle, or vehicles, owned or controlled by the seller, the charge for transportation may not exceed the lowest published common carrier charge (not including transportation taxes) based on carload or truckload rates for transporting the quantity being priced from the point, or points, of shipment to the buyer's receiving point. In the case of a delivery or series of deliveries, the lowest published public carrier charge shall be based on the carload or truckload rates even though separate deliveries are made in less than carload or truckload quantities and such charge shall be prorated over the quantity contained in each delivery.

(d) When a delivery or series of deliveries which qualify for a price in a quantity bracket under the 20,000 pound bracket (as set forth in Table A) are made by a public carrier (common or contract), the charge for transportation may not exceed the actual transportation cost (including transportation taxes).

(e) When a delivery or series of deliveries which qualify for a price in a quantity bracket under the 20,000 pound bracket (as set forth in Table A) are made in a vehicle, or vehicles, owned or controlled by the seller, the transportation charge may not exceed the lowest published and applicable common carrier charge (not including transportation taxes) for transporting the quantity being priced from the point, or points of shipment to the buyer's receiving point. In the case of a series of deliveries the lowest published and applicable common carrier charge shall be

determined on the basis of the total quantity being priced even though separate deliveries are made in lesser quantities and such charge shall be prorated over the quantity contained in each delivery.

(f) Notwithstanding any other provisions of this section, when aluminum scrap is shipped from a point in the Territories or Possessions of the United States to a buyer's receiving point in the continental United States, the charge for transportation is the actual cost (including dock handling charges) for transporting the material from the Territory or Possession from which it is shipped to the buyer's receiving point.

SEC. 7. *Ceiling price for secondary aluminum ingot*—(a) *Listed grades.* (1) The ceiling delivered price for each kind of secondary aluminum ingot listed in Table C is the applicable price set forth in that table.

The prices in Table C apply when a total quantity of 10,000 pounds or more of one or more kinds of secondary aluminum ingot are sold at one time for shipment to one receiving point or are delivered at one time to one receiving point. Premiums for smaller quantities and special shapes may be charged in accordance with subparagraph (2) of this paragraph.

When the buyer's receiving point is located outside of the continental United States, the point of delivery is at the dock at the port of exit, or in the case of shipment overland to Mexico or Canada, the point of delivery is the freight station at or nearest the point of exit from the United States.

TABLE C

Alloy designation:	Price (cents per pound)
97.5 to 99 percent aluminum	19.0
13 (0.60 percent copper, max.)	20.8
13 (0.30 percent copper, max.)	21.0
43 (0.60 percent copper, max.)	20.4
43 (0.30 percent copper, max.)	20.6
85	20.6
108	20.6
A108	20.7
122	21.2
A132	21.8
D132	21.25
E132	21.25
Z132	21.25
138	20.75
142	21.4
195	20.8
B195	20.8
214	21.6
218	21.8
220	22.6
319	20.7
355	20.7
356	20.7
360	20.8
AXS 679 (or 380)	20.5
12 (grade 2)	19.5
6–6	20.5
7–5	20.5
Steel deoxidizing grades (steel deoxidizing aluminum, notchbar, granulated or shot, including any aluminum ingot (exclusive of hardeners) sold for other destructive uses or alloying purposes):	
Grade 1 (95–97½ percent aluminum)	18.00
Grade 2 (92–95 percent aluminum)	17.75
Grade 3 (90–92 percent aluminum)	17.25
Grade 4 (85–90 percent aluminum)	16.50

(2) *Premiums for special shapes and quantity.* In addition to the ceiling price determined in accordance with subparagraph (1) of this paragraph, the premium for special shapes or for quantity set forth in table D may be charged when applicable. No premiums other than those set forth in table D may be charged.

The applicable premium for quantity shall be determined on the basis of the total quantity of one or more kinds of secondary aluminum ingot sold at one time for shipment to one receiving point or delivered at one time to one receiving point, whichever is larger.

TABLE D

	Premium (cents per pound)
Special shapes:	
Shot	0
Deoxidizing ingot—2 pounds or more	0
Ingot—pig—25 pounds or more	0
Ingot—pig—15–24 pounds	¼
Ingot—pig—2–14 pounds	½
Ingot—pig—under 2 pounds	1
Grained aluminum	5
Stars, gears, cored cylinders or cored cones	3
Piglets—3 ounces or less	1
Quantity Premiums:	
2,000 to 9,999 pounds	½
500 to 1,999 pounds	1
Less than 500 pounds	2

(b) *Unlisted grades.* The ceiling price for a kind or grade of secondary aluminum ingot not listed in Table C is the sum of the current delivered cost of the scrap and other constituent metals to the seller plus the margin which the seller received for the same kind of ingot delivered during the base period December 19, 1950, to January 25, 1951, inclusive.

When the seller delivers a kind of ingot not delivered during such base period, the ceiling price for such ingot is the sum of the current delivered cost of the scrap and other constituent metals to the seller plus the margin which the seller received for the most closely comparable kind of ingot delivered during such base period.

The current delivered cost of constituent metals may not exceed the ceiling price established in the applicable regulation issued by the Office of Price Stabilization. The margin which may be added to such cost must be determined by subtracting from the price received for the same kind of ingot delivered during the base period, the delivered cost of scrap and other constituent metals used in producing such ingot.

The ceiling prices determined in accordance with the provisions of this paragraph shall reflect the seller's customary price differentials, including discounts, allowances, premiums and extras, based upon differences in quantity, in classes or location of purchasers, or in terms and conditions of sale or delivery.

SEC. 8. *Definitions.* When used in this regulation the term:

(a) "Aluminum scrap" includes the kinds and grades of material listed in section 6 of this regulation.

(b) "Al" means aluminum.

(c) "Cu" means copper.

(d) "Fe" means iron.

(e) "Mg" means magnesium.

(f) "Pb" means lead.

(g) "Zn" means zinc.

(h) "Borings and turnings" does not include grindings, sweeping, buffiings, and dirt.

(i) "Buyer's receiving point" means that aluminum scrap or secondary aluminum ingot has arrived at the buyer's plant, warehouse, or yard and is ready for unloading.

(j) "Consumer" includes any person whose business consists, in whole or in part of smelting, refining, melting, or otherwise processing scrap into a form other than scrap, exclusive of sweated pig and ingot. Any parent or subsidiary of a consumer and any person owned, operated, affiliated with, under common control with, or otherwise controlled by a consumer, and any person owned, operated, or otherwise controlled by an officer, director, partner, or proprietor of a consumer shall also be considered to be a consumer for the purposes of this Regulation.

(k) "Exporter" means a person who last sells any of the commodities covered by this regulation, which is transported from a point in the United States, its Territories and Possessions, to a point outside thereof.

(l) "Hardener" is an intermediate alloy which is not suitable for direct use without combination with other materials and which is designed to facilitate the introduction of one or more of the constituent metals into other alloys.

(m) "Importer" means a person who first sells any of the commodities covered by this regulation, which is transported, either before or after such sale, from a point outside the United States, its Territories and Possessions, to a point inside thereof.

(n) "Mixed plant scrap" means plant scrap which does not meet the definition of segregated plant scrap.

(o) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government or any of its political sub-divisions, or any agency of the foregoing.

(p) "Plant scrap" means plant scrap which is generated in the course of manufacture or fabrication. It includes new materials, or parts which are rejected or discarded because of defectiveness, materials damaged in processing, materials which are a part of surplus or idle inventory, or otherwise unfit for use.

(q) "Point of shipment" means the point from which any commodity covered by this regulation is loaded on a conveyance for shipment directly to the buyer's receiving point. In the case of any commodity covered by this regulation sold by an importer and delivered by water into the Continental United States, its Territories or Possessions, the point of shipment means the place within the United States, its Territories or Possessions, where the commodity is loaded on a conveyance for transportation directly to the buyer's receiving point. In the case of any commodity covered by this regulation sold by an importer and transported to the buyer overland from Mexico or Canada, the point of shipment means the freight

station in the United States at or nearest the point at which the material first enters the United States.

(r) "Scrap" or "scrap materials" means aluminum scrap which is the waste or by-product of any kind of metal working or processing, or which has been discarded on account of obsolescence, failure, or other reason. It also includes sweated pig or ingot.

(s) "Secondary aluminum ingot" means all ingots, alloys, and hardeners containing 50 percent or more aluminum by weight, and of which 50 percent or more is obtained from scrap materials.

(t) "Segregated plant scrap" means plant scrap which consists of one alloy only, which may be so identified without the necessity of other than routine examination by a processor, and which is suitable for reprocessing into aluminum of the original alloy specifications.

(u) "Solids" means plant scrap which is generated by shearing, clipping, cutting, blanking, or similar process. It includes defective, rejected, and discarded wrought aluminum parts, castings, gates, sprues, risers, or similar foundry scrap.

(v) "Wrecked aircraft" means aluminum scrap (not including engines or engine parts) recovered from the wreckage of aircraft, obsolete aircraft, and from rejected airframes containing foreign materials after all possible non-aluminum parts have been removed.

SEC. 9. *Excise, sales, and similar taxes.* Any person may collect, in addition to the ceiling price established by this regulation, any excise, sales, or similar tax imposed upon him by reason of his sale of zinc scrap if he is not prohibited by law from making such collection and if he states separately from his selling price the amount of the tax collected.

SEC. 10. *Penalties.* Persons violating any of the provisions of this regulation shall be subject to the criminal penalties, civil enforcement actions, and suits for damages provided for by the Defense Production Act of 1950.

SEC. 11. *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Price Procedural Regulation No. 1, Revised.

Effective date. This regulation shall become effective June 29, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JUNE 29, 1951.

[F. R. Doc. 51-7719; Filed, June 29, 1951; 5:15 p. m.]

[General Overriding Regulation 13]

GOR 13—CONTINUATION OF CEILING PRICES IN EFFECT ON JUNE 30, 1951, FOR COMMODITIES OR SERVICES COVERED BY SPECIFIED MANUFACTURERS' REGULATIONS

Pursuant to the Defense Production Act of 1950 (Public Law 774, 81st Cong.), as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this General Overriding Regulation No. 13 is hereby issued.

STATEMENT OF CONSIDERATIONS

Ceiling Price Regulation 22 and companion regulations provided for a number of rollbacks to become effective after June 30, 1951. These rollbacks, however, are prohibited by the Joint Resolution enacted into law on June 30, 1951, which extended the Defense Production Act until July 31, 1951. That resolution provides that the authority of the Defense Production Act "shall not be exercised during the period June 30, 1951, to July 31, 1951, inclusive, to place into effect, or permit to become effective, a price ceiling for any material or service lower than the ceiling in effect for such material or service on the date of the enactment of this resolution."

This resolution was adopted as a temporary limitation, pending further consideration by Congress, following the passage of the Senate bill (S. 1717) limiting the authority for rollbacks in ceiling prices. The Senate Banking and Currency Committee, in reporting that bill expressed the intention that the limitation on rollbacks be accompanied in administration by a restriction, where practicable, of future rollforwards above the January 24–February 24, 1951, level. (Sen. Rep. 470, 82d Cong., 1st Sess. p. 18.) The debate in the House of Representatives indicates the general intention that the Resolution operate to preserve the status quo, pending further Congressional consideration. (97 Cong. Rec. pp. 7666–7, 7669, 7674, 7677)

The Director of Price Stabilization is of the opinion that pending further clarification and study manufacturers' ceiling prices should be kept at their existing level. The effect of this general overriding regulation is to eliminate all requirements for rollbacks after June 30, 1951 and to freeze price ceiling provisions in effect on June 30, 1951.

Sellers of commodities subject to CPR 22 and the companion regulations who have put those price ceiling regulations into effect on or before June 30, 1951, as to any commodity or service, continue to price under those regulations for that commodity or service. Otherwise the seller continues to apply the GCPR, except in the case of wool yarn and fabrics where he applies CPR 18.

Sellers who have not yet filed their reports under the regulations in question need not do so until further action by the OPS. This provision does not countermand reports already on file. But whether such reports containing proposed increases in ceiling prices became effective on June 30, 1951, may depend on the waiting provisions of the regulation. Under CPR 22, reports of ceiling price increases received by OPS after June 14, 1951, will not have the effect of establishing a ceiling price in effect on June 30, 1951, since the 15-day period after date of receipt will not have expired on or before June 30, 1951. Ceiling prices for commodities covered by such filings will, therefore, remain at their GCPR level.

Special circumstances have rendered impracticable consultation with industry representatives prior to the issuance of this regulation.

REGULATORY PROVISIONS

Sec.
1. Coverage.
2. What this regulation does.
3. Commodities or services first dealt in after June 30, 1951.
4. Reports not required.

AUTHORITY: Sections 1 to 4 issued under sec. 704, Pub. Law 774, 81st Cong., as amended. Interpret or apply Title IV, Pub. Law 774, 81st Cong., as amended; E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

SECTION 1. *Coverage.* This General Overriding Regulation applies to you if you are subject to any of the following price ceiling regulations or regulations supplementary thereto:

CPR 18—Manufacturers' Prices for Wool Yarns and Fabrics.

CPR 18—Revision 1—Manufacturers' Prices for Wool Yarns and Fabrics.

CPR 22—Manufacturers' General Ceiling Price Regulation.

CPR 30—Machinery and Related Manufactured Goods.

CPR 37—Primary Cotton Textile Manufacturers' Regulation.

CPR 41—Shoe Manufacturers' Regulation.

CPR 45—Apparel Manufacturers' General Ceiling Price Regulation.

SEC. 2. *What this regulation does.* (a) If any of the price ceiling regulations listed in section 1 of this regulation was in effect as to you on June 30, 1951, for any commodity or service, your ceiling price for that commodity or service shall continue to be determined under that regulation. Otherwise, you shall compute your ceiling price for the commodity or service under the General Ceiling Price Regulation, or under CPR 18 in the case of wool yarns and fabrics.

(b) Even though you filed a report, under a regulation listed in section 1 of this regulation, of a proposed ceiling price with respect to a commodity or service, that regulation was not in effect as to you on June 30, 1951, for that commodity or service, if the requisite waiting period had not expired, or if the proposed ceiling price was not properly determined under the applicable regulation.

SEC. 3. *Commodities or services first dealt in after June 30, 1951.* If a commodity or service was not offered for sale, sold or delivered by you on or before June 30, 1951, you shall apply this section, and shall determine the ceiling price under the regulation applicable to the commodity or service which will yield ceiling prices most nearly in line with your ceiling prices in effect on June 30, 1951, for your related commodities or services. In the event you were not in business prior to June 30, 1951, you may use either the General Ceiling Price Regulation or the applicable regulation listed in Section 1 of this regulation to determine your ceiling prices.

SEC. 4. *Reports not required.* You need not after June 30, 1951, file any reports under any of the regulations listed in Section 1 except as to the extent that the regulation is applicable to

you after June 30, 1951, and except for reports required in connection with prices established under section 3 of this regulation.

Effective date. The provisions of this General Overriding Regulation are effective July 1, 1951, and shall continue in effect until further notice.

EDWARD F. PHELPS, Jr.,
Acting Director of Price Stabilization.

JUNE 30, 1951.

[F. R. Doc. 51-7733; Filed, July 2, 1951; 10:38 a. m.]

[Ceiling Price Regulation 6, Including Amdts. 1 to 9]

CPR 6—FATS AND OILS

Ceiling Price Regulation 6 is republished to incorporate the text of Amendments 1 through 9. Ceiling Price Regulation 6 was issued February 14, 1951 (16 F. R. 1501). Statements of considerations to Ceiling Price Regulation 6 and to Amendments 1 through 9, inclusive, as previously published are applicable to this republication. The effective dates of the original regulation and amendments are shown in a note preceding the first section of the regulation.

In the republication of Ceiling Price Regulation 6, the content of the regulation has been rearranged as indicated in the following table:

CPR 6 as republished	CPR 6 before republication
ARTICLE I—SCOPE OF REGULATION	
Sec.	Sec.
1. What this regulation does	1.
2. Applicability	2 (a).
3. Exceptions	2 (d).
ARTICLE II—GENERAL PROVISIONS	
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The substance of Ceiling Price Regulation 6 as amended has not been changed or revised by this republication.

AUTHORITY: Sections 1 to 30 issued under sec. 704, Pub. Law 744, 81st Cong. Interpret or apply Title IV, Pub. Law 774, 81st Cong. E. O. 10161, Sept. 9, 1950, 15 F. R. 6105.

DERIVATION: Sections 1 to 30 contained in Ceiling Price Regulation 6, February 14, 1951, 16 F. R. 1501, except as otherwise noted in brackets following text affected.

EFFECTIVE DATES:
CPR 6 (as originally provided in section 2 (b)), February 14, 1951, 16 F. R. 1501.
Amendment 1, March 12, 1951, 16 F. R. 2146.
Amendment 2, March 12, 1951, 16 F. R. 2224.
Amendment 3, March 26, 1951, 16 F. R. 2681.
Amendment 4, April 12, 1951, 16 F. R. 3157.
Amendment 5, May 5, 1951, 16 F. R. 3720.
Amendment 6, May 3, 1951, 16 F. R. 4104.
Amendment 7, May 19, 1951, 16 F. R. 4611.
Amendment 8, June 11, 1951, 16 F. R. 5398.
Amendment 9, June 16, 1951, 16 F. R. 5534.

ARTICLE I—SCOPE OF REGULATION

SECTION 1. *What this regulation does.* The purpose of this regulation is to establish specific ceiling prices for certain fats and oils. These ceiling prices supersede those established for such fats and oils by the General Ceiling Price Regulation. The regulation also allows written contracts for the sale of such fats and oils legally entered into prior to the effective date of this regulation to be carried out at the contract price.

SEC. 2. *Applicability.* The provisions of this regulation are applicable to the United States, its Territories and possessions and the District of Columbia.

SEC. 3. *Exceptions.* If prior to March 12, 1951, as to commodities covered in sections 21 to 28 inclusive, you entered, consistently with any outstanding ceiling price regulation, into a written contract for the sale of fats and oils for which ceiling prices are provided by this regulation, you may carry out the contract according to its terms.

[Section 3 substituted by Amdt. 2]

ARTICLE II—GENERAL PROVISIONS

SEC. 11. *Prohibitions.* After the date of this regulation you shall not sell, and you shall not buy in the regular course of business or trade, at a price exceeding the ceiling price established by this regulation, any fats or oils for which a ceiling price or a method for computing a ceiling price is set forth in this regulation.

SEC. 12. *Evasion.* You shall not evade or circumvent the provisions of this regulation by direct or indirect methods in connection with the purchase, sale, delivery, or transfer of fats or oils, or by way of premium, commission, service, transportation, or other charge, or by tying-agreement, trade understanding, or otherwise.

SEC. 13. *Enforcement.* If you violate any provision of this regulation, you are subject to the criminal penalties, civil enforcement actions, and suits for damages provided for by the Defense Production Act of 1950.

SEC. 14. *Records.* If you sell fats or oils for which ceiling prices are established by this regulation, you must preserve and keep available for examination by the Director of Price Stabilization for a period of two years, accurate records of each sale. These records must include:

(a) The date of the sale;
(b) The name of the purchaser;
(c) The price paid or received;
(d) The grade, quality, and amount sold.

SEC. 15. *Petitions for amendment.* If you wish to have this regulation amended, you may file a petition for amendment in accordance with the Provisions of Price Procedural Regulation 1, Revised, 16 F. R. 4974.

SEC. 16. *Definitions.* Terms used in this regulation shall, unless defined herein, or unless the context requires a different meaning, have the same meaning as when used in the General Ceiling Price Regulation.

Fats and Oils. The term "fats and oils" as used in this regulation means oil of the raw, crude, and refined fats and oils, their byproducts and derivatives, and greases, except "essential oils," mineral oils, butter, cocoa butter and poultry fat.

Hydrogenated shortening. The term "hydrogenated shortening" means a shortening which is (1) made from vegetable oils or (2) made from a mixture of vegetable oils and animal fats, each of which has been hydrogenated to some extent. It must conform with the following specifications:

No free oils: The shortening must contain no free oils.

Suspended matter: The shortening must be free from any appreciable amount of suspended matter.

Taste and odor: The shortening must be free from rancidity, foreign odor, and sourness.

Moisture: The moisture must not exceed 0.3 percent (Vacuum Oven Method, Official Agricultural Chemists Association, 6th ed., 1940, p. 423).

Smoke point: The shortening must withstand a temperature of 400 degrees F. without smoking except that shortening containing mono and diglycerides shall be exempted from this specification.

Stability: The stability of the shortening must be not less than three hours (Active Oxygen Method; King, Roschen and Irwin; Oil and Soap, 10, 105, June, 1933).

Plasticity: The shortening must remain solid and be plastic and workable at a temperature within the range from 70 degrees F. to 90 degrees F.

F. F. A.: The F. F. A. must not exceed 0.12 percent (Method, Official Agricultural Chemists Association, 6th ed., 1940, p. 436).

Iodine number: The iodine number must not exceed 80 (Hanus Method, Official Agricultural Chemists Association, 6th ed., 1940, p. 429).

[Definition of "hydrogenated shortening" added by Amdt. 1]

Inedible greases. The term "inedible greases" as used in this regulation means those greases obtained by rendering fats from hogs. Also, the lower grades of rendered fats, such as those obtained from catch basin skimmings, are termed "greases" regardless of whether the source of the original raw

material was from cattle, sheep, or hogs. In general, tallows are firmer in texture than greases, ranging in titre or hardness from 40° to 45° C., while greases range from 34° to 39.9° titre.

[Definition of "inedible greases" added by Amdt. 2.]

Inedible tallows. The term "inedible tallows" as used in this regulation means those tallows obtained from the rendering of fats from animals, such as cattle and sheep, as are not considered suitable for human consumption.

[Definition of "inedible tallows" added by Amdt. 2.]

North. The term "North" includes the following States: Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, Pennsylvania, New Jersey, Delaware, Maryland, Washington, D. C., West Virginia, Ohio, Indiana, Michigan, Illinois, Missouri, Kansas, Wisconsin, Iowa, Minnesota, Nebraska, South Dakota, North Dakota, Colorado, Wyoming.

[Definition of "North" added by Amdt. 1.]

Oil-bearing raw materials and waste animal fat. The term "oil-bearing raw materials and waste animal fat" means those materials whose principal use is in the rendering of inedible tallow and greases. It includes, but is not limited to, butcher shop fats; suet and trimmings; breast fats or rattles; offal; bones, except packer steamed dry bones, prairie bones or dry imported bones; cooked grease, clear, rough or mixed; and interceptor or trap grease.

[Definition of "oil-bearing raw materials and waste animal fat" added by Amdt. 9.]

Pacific Coast. The term "Pacific Coast" includes the following States: Washington, Oregon, California, Montana, Idaho, Nevada, Utah, Arizona.

[Definition of "Pacific Coast" added by Amdt. 1.]

Refined fats and oils. The term "refined fats and oils" as used in this regulation means those fats and oils which have been cleaned, deodorized, or purified by settling, straining, filtering, distilling, treating with chemicals, or by any other means, and which at the conclusion of the refining process do not contain any added substance other than is necessary as a preservative.

Rendering. "Rendering" as used in this regulation means the process of separating the oil content from the solid materials in fatty animal tissues.

[Definition of "rendering" added by Amdt. 2.]

South. The term "South" includes the following States: Virginia, North Carolina, South Carolina, Georgia, Florida, Kentucky, Tennessee, Alabama, Mississippi, Arkansas, Louisiana, Oklahoma, Texas, New Mexico.

[Definition of "South" added by Amdt. 1.]

Standard shortening. The term "standard shortening" means a shortening which is (1) made from hardened vegetable oil or (2) made from a mixture of vegetable oil and animal fat and/or hardened marine animal oils. It must conform with the following specifications:

Suspended matter: The shortening must be free from any appreciable amount of suspended matter.

Taste and odor: The shortening must be free from rancidity, foreign odor, and sourness.

Moisture: The moisture must not exceed 0.3 percent (Vacuum Oven Method, Official Agricultural Chemists Association, 6th ed., 1940, p. 423).

Smoke point: The shortening must withstand a temperature of 400 degrees F. without smoking.

Stability: The stability of the shortening must be not less than three hours (Active Oxygen Method; King, Roschen and Irwin; Oil and Soap, 10, 105, June 1933).

Plasticity: The shortening must remain solid, and be plastic and workable at a temperature within the range from 70 degrees F. to 90 degrees F.

F. F. A.: The F. F. A. must not exceed 0.3 percent (Method, Official Agricultural Chemists Association, 6th ed., 1940, p. 436).

[Definition of "standard shortening" added by Amdt. 1]

ARTICLE III—CEILING PRICES

SEC. 21. *Sellers of cottonseed oil.* Your ceiling price for sale of cottonseed oil shall be as follows:

(a) *Crude cottonseed oil.* In tank cars, in cents per pound, as follows:

	F. o. b. mill
Arizona (except Graham County)	23⅞
Illinois; North Carolina; South Carolina; Tennessee, Crittenden and Mississippi Counties, Arkansas; New Madrid, Dunklin, and Scott Counties, Mo.; Morgan County, Ala.	23⅝
Alabama (except Morgan County); Arkansas (except Crittenden and Mississippi Counties); Florida; Georgia; Louisiana; Mississippi; Missouri (except New Madrid, Dunklin, and Scott Counties); Graham County, Ariz.; Bowie County, Tex.	23½
Oklahoma; El Paso County, Tex.; New Mexico	23⅜
Texas (except El Paso County)	23¼
California (except Los Angeles County)	24
Los Angeles County, California	24¼

[Paragraph (a) amended by Amdts. 1, 3]

(1) These crude cottonseed oil ceiling prices shall be adjusted on a 9 percent settlement basis as provided in Rule 142 of the 1950–51 Rules of the National Cottonseed Products Association, Inc.

(2) Where (i) crude cottonseed oil is sold and delivered to a buyer to whom it may be shipped for no more than a switching charge, and (ii) where prior to January 1, 1951, it was customary for such oil to take a premium when sold by a seller in that locality to a buyer located within that locality's switching limits, the ceiling prices shall be the prices set forth above, plus the premium that customarily prevailed in that locality on such sales prior to January 1, 1951.

(b) *Refined cottonseed oil.* In cents per pound, delivered as follows:

	Bleachable prime summer yellow oil (in tank cars)	Cooking or deodorized and bleached summer oil (in tank cars)	Salad or winterized oil (in tank cars)	Hydrogenated or margarine oil (in tank cars)	High titre hydrogenated undeodorized oil (in bags)
Atlanta, Ga.	25.97	27.72	27.97	28.22	29.62
Baltimore, Md.	26.32	28.07	28.32	28.57	29.97
Birmingham, Ala.	25.97	27.72	27.97	28.22	29.62
Boston, Mass.	26.47	28.22	28.47	28.72	30.12
Charlotte, N. C.	26.11	27.86	28.11	28.36	29.76
Chattanooga, Tenn.	26.06	27.81	28.06	28.31	29.71
Chicago, Ill.	26.12	27.87	28.12	28.37	29.77
Cincinnati, Ohio	26.13	27.88	28.13	28.38	29.78
Columbus, Ohio	26.22	27.97	28.22	28.47	29.87
Dallas, Tex.	25.54	27.29	27.54	27.79	29.19
Denison, Tex.	25.54	27.29	27.54	27.79	29.19
Denver, Colo.	26.25	28.00	28.25	28.50	29.90
Detroit, Mich.	26.25	28.00	28.25	28.50	29.90
Elgin, Ill.	26.12	27.87	28.12	28.37	29.77
Ft. Worth, Tex.	25.54	27.29	27.54	27.79	29.19
Greenville, S. C.	26.08	27.83	28.08	28.33	29.73
Houston, Tex.	25.54	27.29	27.54	27.79	29.19
Indianapolis, Ind.	26.12	27.87	28.12	28.37	29.77
Kansas City, Mo.	26.07	27.82	28.07	28.32	29.72
Los Angeles, Calif.	26.40	28.15	28.40	28.65	30.05
Louisville, Ky.	26.09	27.84	28.09	28.34	29.74
Macon, Ga.	25.97	27.72	27.97	28.22	29.62
Memphis, Tenn.	25.85	27.60	27.85	28.10	29.50
New Orleans, La.	25.95	27.70	27.95	28.20	29.60
New York, N. Y.	26.40	28.15	28.40	28.65	30.05
Norwalk, Ohio	26.21	27.96	28.21	28.46	29.86
Oklahoma City, Okla.	25.86	27.51	27.76	28.01	29.41
Omaha, Nebr.	26.25	28.00	28.25	28.50	29.90
Opelousas, La.	25.85	27.60	27.85	28.10	29.50
Osceola, Ark.	25.95	27.70	27.95	28.20	29.60
Philadelphia, Pa.	26.36	28.11	28.36	28.61	30.01
Pittsburgh, Pa.	26.25	28.00	28.25	28.50	29.90
Portland, Oreg.	26.40	28.15	28.40	28.65	30.05
Portsmouth, Va.	26.27	28.02	28.27	28.52	29.92
San Antonio, Tex.	25.54	27.29	27.54	27.79	29.19
San Francisco, Calif.	26.30	28.05	28.30	28.55	29.95
Savannah, Ga.	26.05	27.80	28.05	28.30	29.70
Seattle, Wash.	26.40	28.15	28.40	28.65	30.05
Sherman, Tex.	25.54	27.29	27.54	27.79	29.19
St. Louis, Mo.	25.97	27.72	27.97	28.22	29.62
Suffolk, Va.	26.27	28.02	28.27	28.52	29.92
Terre Haute, Ind.	26.12	27.87	28.12	28.37	29.77
Thomasville, Ga.	26.12	27.87	28.12	28.37	29.77
Washington, D. C.	26.32	28.07	28.32	28.57	29.97

[Paragraph (b) amended by Amdt. 1]

(1) *Differentials for other delivery points.* The customary differentials above or below these delivered prices shall apply to all other destinations.

(2) *Differentials for other types of bulk containers.* The customary differentials for other types of bulk containers, including tank wagons or drums when shipped on a refining-in-transit rate, shall apply.

[Subparagraph (2) substituted by Amdt. 1]

(3) *Differentials for other grades.* The customary differentials for grade above or below these prices for basic grades shall continue to apply.

(4) *Adjustments for premium quality.* If you have customarily charged a premium over the market price for a grade of refined cottonseed oil, you may apply in writing to the Director of Price Stabilization, Washington 25, D. C., for an adjustment in your ceiling price for such premium quality oil. This application shall contain all pertinent information describing the quality characteristics of the particular grade of oil and documentary evidence that you have customarily charged the premium. After March 1, 1951, you may not charge the

premium price without the written approval of the Director of Price Stabilization. Until March 1, 1951, you may charge your customary premium over the applicable ceiling prices in section 21 (b) of this regulation.

(5) *Alternative method of pricing bleachable prime summer yellow.* Any refiner shall have the alternative privilege of selling bleachable prime summer yellow f. o. b. his refinery, and his ceiling price shall be determined by adding two cents per pound to the ceiling price of crude cottonseed oil, as determined by section 21 (a) of this regulation, plus the amount of freight paid on the crude oil in bringing such oil to the refinery, such amount of freight to be supported by inbound freight bill on the crude oil, surrendered for the purpose of determining the balance of outbound freight to final destination for the refined oil.

[Subparagraph (5) added by Amdt. 3]

(c) *Cottonseed oil futures contracts.* The ceiling prices for cottonseed oil futures contracts traded on the New York Produce Exchange and on the New Orleans Cotton Exchange shall be 26.40 cents per pound and 25.95 cents per pound, respectively.

SEC. 22. *Sellers of crude soybean oil.* Your ceiling price for sale of soybean oil shall be as follows:

(a) *Crude soybean oil.* In tank cars, in cents per pound, as follows:

	F. o. b. mill
California, Oregon, Washington	21⅝.
Arizona	21⅛.
Alabama, Arkansas, Florida, Georgia, Illinois, Kansas, Louisiana, Mississippi, Missouri, New Mexico, Oklahoma, Tennessee, Texas.	20½.
Iowa, Minnesota, Nebraska, North Dakota, South Dakota.	20⅜.
Delaware, Indiana, Kentucky, Michigan, New Jersey, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Virginia, Wisconsin.	20½ cents plus freight from Decatur, Illinois, to New York, N. Y., minus freight from point of sale to New York, N. Y.: *Provided*, That in no case shall your ceiling be less than 20½ cents.

[Paragraph (a) amended by Amdt. 1]

(1) These crude soybean oil ceiling prices shall be adjusted on a 7 percent refining loss basis as provided in Rule 102 of the 1950–51 Rules of the National Soybean Processors Association.

(2) Where (i) crude soybean oil is sold and delivered to a buyer to whom it may be shipped for no more than a switching charge, and (ii) where prior to January 1, 1951, it was customary for such oil to take a premium when sold by a seller in that locality to a buyer located within that locality's switching limits, the ceiling price shall be the prices set forth above, plus the premium that customarily prevailed in that locality on such sales prior to January 1, 1951.

(b) *Crude soybean oil futures.* The ceiling price for crude soybean oil futures contracts traded on the New York Produce Exchange and the Chicago Board of Trade shall be 20.50 cents per pound.

(c) *Refined soybean oil.* Your ceiling price for sales of refined soybean oil shall be, in cents per pound, as follows:

For sales f. o. b. Decatur, Ill.

Refined unbleached and undeodorized soybean oil for edible use	22.00
Once refined industrial soybean oil for inedible use	22.25
Once refined bleached industrial soybean oil for inedible use	22.75
Deodorized and bleached soybean oil	23.45
Soybean salad oil	23.55
Hydrogenated margarine soybean oil	24.20
High titre undeodorized hydrogenated soybean oil in bags	25.60

For sales at any other place. Wherever refining-in-transit freight rates apply from Decatur, Ill., through refinery location to final destination, your ceiling price shall be the f. o. b. Decatur, Ill., price plus refining-in-transit freight from Decatur, Ill., through refinery location to final destination.

Wherever refining-in-transit rates do not apply from Decatur, Ill., through refinery location to final destination, your ceiling price shall be the f. o. b. Decatur, Ill., price plus inbound freight from Decatur, Ill., and actual outbound freight from refinery location to final destination.

(1) *Differentials for other grades.* The customary differentials for grades above or below these prices for basic grades shall continue to apply.

(2) *Differentials for other types of bulk containers.* The customary differentials for other types of bulk containers, including tank wagons or drums when shipped on a refining-in-transit rate, shall continue to apply.

(3) *Adjustments for premium quality.* If you are an individual seller of refined soybean oil and have customarily charged a premium over the market price for a grade of such oil, you may apply in writing to the Director of Price Stabilization, Washington 25, D. C., for an adjustment in your ceiling price for such premium quality oil. This application shall contain all pertinent information describing the quality characteristics of the particular grade of oil and documentary evidence that you have customarily charged the premium. After March 1, 1951, you may not charge the premium price without the written approval of the Director of Price Stabilization. Until March 1, 1951, you may charge your customary premium over the applicable ceiling prices in Section 21 (b) of this regulation.

[Paragraph c amended by Amdt. 1]

SEC. 23. *Sellers of corn oil.* Your ceiling price for sale of corn oil shall be as follows:

(a) *Crude corn oil.* In tank cars, in cents per pound, as follows:

F. o. b. all mills in U. S., except Geneva, N. Y. and Wilkes-Barre, Pa	24½
F. o. b. Geneva, N. Y., and Wilkes-Barre, Pa	25

(b) *Refined corn oil.* In tank cars, in cents per pound, as follows:

Corn salad oil, basis f. o. b. Midwestern Refineries	27½

(1) *Differentials for other types of bulk containers.* The customary differentials for other types of bulk containers shall continue to prevail.

(2) *Differentials for other grades.* The customary differentials for grade above or below these prices for basis grades shall continue to apply.

[Sec. 23 amended by Amdt. 1]

SEC. 24. *Processors of shortening and salad and cooking oils.*—(a) *Standard shortening.* The delivered ceiling prices of Armour and Co.'s "Star" and "Domino", Capital City Products Co.'s "Famous", Cotton Products Co.'s "Lou-Ana", The Cudahy Packing Co.'s "White Ribbon", The Glidden Co.'s (Durkee Famous Foods) "Snowflake", The Humko Co.'s "Humko", Mrs. Tucker's Foods, Inc.'s "Mrs. Tucker's" and "Southern Queen", The Procter and Gamble Co.'s "Fluffo" and "Flakewhite", Swift and Co.'s "Jewel" and "Sanco", Wesson Oil and Snowdrift Sales Co.'s "Crustene" and "Scoco", Wilson and Co.'s "Advance" and "Royal Aster", all other brands of standard shortening manufactured or distributed by the processors of these brands and all other brands of standard shortening manufactured or distributed by processors not named above but customarily sold in the same price range as the brands mentioned, shall be the following prices:

	North and South	Pacific Coast
	Cents	*Cents*
Drums (per pound)	30.00	31.00
110-pound tins (per pound)	30.00	31.00
50-pound cubes (per pound)	29.75	30.75
50-pound tins (per pound)	30.50	31.50
	Dollars	*Dollars*
16/3-pound cartons (per case)	14.85	15.35
48/1-pound cartons (per case)	15.00	15.50
6/8-pound pails (per case)	15.40	15.90
12/3-pound tins (per case)	12.15	12.50
36/1-pound tins (per case)	12.87	13.22

[Paragraph (a) amended by Amdt. 3]

(b) *Hydrogenated shortening (without mono- and di-glycerides).* The delivered ceiling prices of Armour and Co.'s "Kre-mit", Capital City Products Co.'s "B. B. S.", The Glidden Co.'s (Durkee Famous Foods) "Creamtex" and "Malvo", the Humko Co.'s "Kopald", Lever Bros. Co.'s "Covo", Mrs. Tucker's Foods, Inc.'s "Velvet", The Procter and Gamble Co.'s "Primex", Swift and Co.'s "Vream", Wesson Oil and Snowdrift Sales Co.'s "MFB", Wilson and Co.'s "Bakerite", all other brands of hydrogenated shortening (without mono- and di-glycerides) manufactured or distributed by the processors of these brands, and all other brands of hydrogenated shortening (without mono- and di-glycerides) manufactured or distributed by processors not named above but customarily sold in the same price range

as the brands mentioned, shall be the following prices:

	North and South	Pacific Coast
	Cents	*Cents*
Drums (per pound)	31.75	32.75
110-pound tins (per pound)	31.75	32.75
50-pound cubes (per pound)	31.50	32.50
50-pound tins (per pound)	32.25	33.25

[Paragraph (b) amended by Amdt. 3]

(c) *Hydrogenated shortening (with mono- and di-glycerides).* The delivered ceiling prices of Armour and Co.'s "Kremor", Capital City Products Co.'s "Hymo", The Glidden Co.'s (Durkee Famous Foods) "Betr Kake", The Humko Co.'s "Kopald Richmix", Lever Bros. Co.'s "Gilt Edge", Mrs. Tucker's Foods, Inc.'s "Gleam", The Procter and Gamble Co.'s "Sweetex", Swift and Co.'s "Vreamay", Wesson Oil and Snowdrift Sales Co.'s "Quick Blend", Wilson and Co.'s "Bakerite 140", all other brands of hydrogenated shortening (with mono- and diglycerides) manufactured or distributed by the processors of these brands, and all other brands of hydrogenated shortening (with mono- and diglycerides) manufactured or distributed by processors not named above but customarily sold in the same price range as the brands mentioned, shall be the following prices:

	North and South	Pacific Coast
	Cents	*Cents*
Drums (per pound)	32.75	33.75
110-pound tins (per pound)	32.75	33.75
50-pound cubes (per pound)	32.50	33.50
50-pound tins (per pound)	33.25	34.25

[Paragraph (e) amended by Amdt. 3]

(d) *Household consumer hydrogenated shortening (with mono- and diglycerides).* (1) The delivered ceiling prices of Lever Bros. Co.'s "Spry", The Procter and Gamble Co.'s "Crisco" and Swift and Co.'s "Swiftning" shall be the following prices:

[Prior to any discount being deducted, but subject to a 2 percent cash discount]

	North, South and Pacific Coast (*Dollars*)
6/6-pound tins (per case)	12.87
12/3-pound tins (per case)	12.87
36/1-pound tins (per case)	13.59
24/1-pound tins (per case)	9.06

(2) The delivered ceiling price of Wesson Oil and Snowdrift Sales Co.'s "Snowdrift" shall be the following prices:

[Prior to any discount being deducted, but subject to a 1 percent cash discount]

	North, South, and Pacific Coast (*Dollars*)
6/6-pound tins (per case)	12.74
12/3-pound tins (per case)	12.74
36/1-pound tins (per case)	13.45
24/1-pound tins (per case)	8.97

(e) *Salad and cooking oil (made from cottonseed or corn oil).* The delivered ceiling prices of Armour and Co.'s "Star", Capital City Products Co.'s "Winco" and "Corn-O-May", Clinton Foods, Inc.'s "Clinton", The Corn Products Refining Co.'s "Argo", Cotton Products Co.'s "Lou Ana", Cudahy Packing Co.'s "Margherita", The Glidden Co.'s (Durkee Famous Foods) "Nonpareil" and "Contadina", The Humko Co.'s "Humko", Mrs. Tucker's Foods, Inc.'s "Mrs. Tucker's", Penick and Ford, Ltd., Inc.'s "Penick", The Procter and Gamble Co.'s "Fluffo" and "Puritan", The Quaker Oats Co.'s "Aunt Jemima", C. F. Simonin's Sons, Inc.'s "Yolanda" and "Liberty Maize", A. E. Staley Manufacturing Co.'s "Staleys", Swift and Co.'s "Jewel", Wesson Oil and Snowdrift Sales Co.'s "77" and "Blue Plate", Wilson and Co.'s "Certified", all other brands of salad and cooking oil (made from cottonseed or corn oil) manufactured or distributed by the processors of these brands, and all other brands of salad and cooking oil (made from cottonseed or corn oil) manufactured or distributed by processors not named above but customarily sold in the same price range as the brands mentioned, shall be the following prices:

	North	South	Pacific Coast
	Cents	*Cents*	*Cents*
Drums (per pound)	32.25	32.25	32.25
	Dollars	*Dollars*	*Dollars*
5 gallon (per case)	12.90	12.90	13.05
6/1 gallons (per case)	15.70	15.70	15.80
4/1 gallons (per case)	10.50	10.50	10.55
12/quarts (per case)	8.75	8.35	8.60
24/pints (per case)	9.00	8.55	8.80

[Paragraph (e) amended by Amdt. 3]

(f) *Household consumer salad and cooking oil (made from cottonseed or corn oil).* (1) The delivered ceiling prices of Wesson Oil and Snowdrift Sales Co.'s "Wesson Oil", shall be the following prices:

[Prior to cash discount, but after trade discount]

	North	South	Pacific Coast
	Dollars	*Dollars*	*Dollars*
6/1 gallons (per case)	16.50	16.50	16.85
12/quarts (per case)	9.15	8.75	8.95
24/pints (per case)	9.40	8.95	9.15

The above prices shall also apply to Corn Products Refining Co.'s "Mazola" where trade discount is not customary.

(2) The delivered ceiling prices of Corn Products Refining Co.'s "Mazola" where trade discount is customary, shall be the following prices:

[Prior to cash discount and prior to 3% trade discount]

	North	South	Pacific Coast
	Dollars	*Dollars*	*Dollars*
6/1 gallons (per case)	17.12	17.13	17.37
12/quarts (per case)	9.54	9.02	9.23
24/pints (per case)	9.77	9.23	9.43

(g) *Salad or cooking oil (made from soybean oil).* The delivered ceiling prices of The Glidden Co.'s (Durkee Famous Foods) "Capitano", The Procter and Gamble Co.'s "Atlas", C. F. Simonin's Sons, Inc.'s "Sayola", A. E. Staley Manufacturing Co.'s "Edsoy", Swift and Co.'s "Imperial", Spencer Kellog and Sons, Inc.'s "Spensoy", all other brands of salad and cooking oil (made from soybean oil) manufactured or distributed by the processors of these brands and all other brands of salad and cooking oil (made from soybean oil) manufactured or distributed by processors not named above but customarily sold in the same price range as the brands mentioned, shall be the following prices:

	North and South	Pacific Coast
	Cents	*Cents*
Drums (per pound)	28.25	28.25
	Dollars	*Dollars*
1/5 gallons (per case)	11.35	11.50
6/1 gallons (per case)	13.85	13.95

(h) *Differentials*—(1) *Quantity differentials for shortenings.* The delivered ceiling prices of hydrogenated and standard shortenings are the prices for hydrogenated and standard shortenings when shipped in quantity to which the lowest price is applied in the processor's published price lists. For other quantities, the customary differentials shall apply.

(2) *Quantity differentials for salad and cooking oils.* The delivered ceiling prices of salad and cooking oils are the prices when shipped in the quantities named in the processor's published price lists. When salad and cooking oils are shipped in carload lots on which a refining-in-transit privilege is applicable, the customary discount (if any) from the delivered ceiling prices established in this section shall continue to apply. For other quantities the customary differentials shall apply.

(3) *Container.* When hydrogenated and standard shortening and salad and cooking oils are sold in containers of different sizes from the container sizes named in this section, the customary differentials for size of container shall apply.

(4) *Cash discounts.* The delivered ceiling prices of hydrogenated and standard shortenings and salad and cooking oils established in this section are the delivered ceiling prices before cash discounts. The customary discount for receipt of payment within the period specified in the processor's published price lists shall apply.

(5) *Area.* The delivered ceiling prices of hydrogenated and standard shortenings and salad and cooking oils established are base prices for the three areas named (North, South, and Pacific Coast). The customary differentials which have applied over base prices to some points within as well as to Territories and Possessions of the United States shall apply.

(i) *Ceiling prices for defense agencies.* A processor selling to a Defense Agency of the United States Government, or its agent, may charge a premium of not more than 2 cents per pound over the ceiling prices established by this section for shortening containing 100% cottonseed oil.

(j) *Branch houses and car routes for sales of shortening.* Where a processor sells standard or hydrogenated shortenings through a branch house or car route owned by the processor or owned by a corporation more than 50 percent of whose stock is owned or controlled by the processor, to a purchaser other than (1) a jobber, or (2) a wholesaler, or (3) a purchaser who buys a carload lot or that quantity to which the lowest price is applied in the processor's published

price lists, the processor's delivered ceiling price on such sales shall be 106 percent of the delivered ceiling price permitted him in this section.

(k) *Branch houses and car routes for salad and cooking oil.* Where the processor sells salad or cooking oil through a branch house or car route owned by the processor or owned by a corporation more than 50 percent of whose stock is owned or controlled by the processor, to a purchaser other than (1) a jobber, or (2) a wholesaler, or (3) a purchaser who buys a carload lot or that quantity to which the lowest price is applied in the processor's published price lists, the processor's delivered ceiling price on such sales shall be 110 percent of the delivered ceiling price permitted him in this section.

(l) *Delivered ceiling prices of other brands.* The delivered ceiling price of a brand of standard or hydrogenated shortening or of salad or cooking oil, the delivered ceiling price of which is not established in paragraphs (a) through (g) of this section shall be determined by applying the customary differential above or below the price of one of the brands named.

(m) *Applications for adjustment.* If the processor of a brand of shortening, or of a brand of salad and cooking oil has no ceiling price because there is no customary differential, or feels that his ceiling price is unduly low, he may file an application for adjustment with the Office of Price Stabilization. Such application should set forth in detail the reasons why the applicant believes his brand should be permitted to sell at the delivered ceiling price requested by the applicant in his application, or why there is no customary price relationship between the applicant's brand and one of the brands named.

[Section 24 added by Amdt. 1]

SEC. 25. *Sellers of tallows and greases.* The ceiling prices of inedible tallows and greases shall be as follows:

Tallows and greases. F. o. b., loaded on cars or trucks, at point of shipment:

	(1) Titre minimum	(2) F. F. A. maximum	(3) M. I. U. basis	(4) F. A. C. maximum untreated and unbleached	(5) Cents per pound
Tallows	° C.	*Percent*	*Percent*		
Edible	41.5	1	1	5	16¼
Industrial fancy and/or acidless tallow	41.5	3	1	5	15⅛
Fancy	41.5	4	1	7	15
Choice	41	5	1	9	14⅞
Prime, renderers' prime, prime packers, or extra.	40.5	6	1	13 or 11B	14¾
Special	40.5	10	1	19 or 11C	14½
No. 1	40.5	15	2	33	14
No. 3	40.5	20	2	37	13¾
No. 2	40	35	2	No color	13
Naphtha extracted bone	40	50	3	do	11½
Greases					
Choice white	37	4	1	11	14⅞
A, white	37	8	1	15	14⅝
B, white	36	10	2	19 or 11C	14⅜
Yellow	36	15	2	37	13¾
House	37.5	20	2	39	13½
Brown	38	50	2	No color	12½
Fleshing and/or glue grease No. 1	36	15	1	15	14¾
Fleshing and/or glue grease No. 2	36	40	2	21	13½
No. 1 pig skin and pigsfoot	34	2	1	9	15½
Garbage grease	34	60	3	No color	11
No. 1 horse oil [1]	34	3	1	5	15
No. 2 horse oil [1]	[2]34	15	2	37	13½

[1] Iodine value shall not be less than 70.
[2] Maximum titre.

(a) Materials of less than 40 titre shall be deemed greases and shall be priced only on the basis of the ceiling prices set forth above for greases; and materials of more than 39.9 titre shall be deemed tallows and shall be priced only on the basis of the ceiling prices set forth above for tallows:

(b) When prime and choice tallows are sold as "bleachable" the ceiling prices specified for those grades shall apply: *Provided*, That premiums may be paid if the tallow, on the basis of a refining and bleaching test in accordance with the official American Oil Chemists' Society methods, performed by the buyer after receipt meets specifications as follows:

Grade	Lovibond color through a 5¼ inch column	Allowable premium cents per pound
Choice	2.0 Red	⅛
Prime	2.0 Red	¼
Prime	2.5 Red	⅛

[Paragraph (b) added by Amdt. 4]

(c) Each type or grade of tallow or grease must be designated by the name customarily applied to it by the trade, and must be priced on the basis of the specifications prescribed in this section for such type or grade.

(d) The usual or normal differentials for grades, with specifications other than those listed above, shall continue to apply.

(e) When any of the above-named tallows or greases are sold in drums, barrels, or tierces at buyer's request, the ceiling prices for such tallows or greases shall be the prices set forth above, plus the differentials hereinafter set forth for the type of container in which the tallows or greases are shipped:

Container	*Differentials to be added in cents per pound*
Returnable drums, barrels or tierces	¾
Nonreturnable drums, barrels or tierces	1½

[Paragraphs (c), (d), and (e) redesignated by Amdt. 4]

(f) When tallows and greases are shipped in less than carload lots, the usual or normal premium shall continue to apply.

[Paragraph (f) added by Amdt. 4]

(g) When edible tallow shown in the table of this section is sold in smaller size containers than drums, barrels and tierces, your customary differentials shall apply.

[Paragraph (g) added by Amdt. 4]
[Sec. 25 added by Amdt. 2]

SEC. 26. *Imported tallows and greases.* The ceiling prices of imported tallows and greases, with duties and taxes paid, f. o. b. port of entry, shall be the ceiling prices set forth in section 25 of this regulation.

[Sec. 26 added by Amdt. 2]

SEC. 27. *Exported tallows and greases.* The ceiling prices for exported tallows and greases listed in section 25 of this regulation shall be the ceiling prices listed in such section plus the cost of additional expenses for preparing such tallows and greases for export. These additional costs shall include: sampling, analysis, stenciling of drums, surveying, cartage, lighterage, and pumping to vessels deep tanks. These additional costs may not exceed a total of one quarter of one cent per pound.

[Sec. 27 added by Amdt. 2]

SEC. 28. *Fat-bearing and oil-bearing animal waste materials* (a) Ceiling prices for fat-bearing or oil-bearing animal waste materials are the highest prices at which such materials were delivered to a purchaser of the same class during the period from November 7 to December 7, 1950, inclusive. If such materials were not delivered during this period, the ceiling price shall be the highest price at which such materials were offered for delivery during this period to a purchaser of the same class. This offer must have been in writing. If no such materials were offered for delivery or dealt in during the above period, the ceiling prices for such materials shall be those of the seller's most closely competitive seller of the same class selling the same materials to the same class of purchaser.

(b) As an alternative to the method provided in paragraph (a) of this section, agencies of the United States Government, or any separate selling units of such agencies, who during the period from November 7 to December 7, 1950, inclusive, sold any of the waste materials covered by this section on the basis of fixed term contracts entered into with buyers of such materials prior to November 7, 1950, may determine their ceiling prices for future sales by adopting those of their most closely competitive seller.

[Sec. 28 added by Amdt. 2, substituted by Amdt. 8]

SEC. 29. *Vegetable oil soapstocks*—(a) *Ceiling prices of raw soapstocks.* The ceiling prices of the following raw soap-

stocks, delivered in tank cars or tank wagons, shall be the following prices:

RAW SOAPSTOCKS—BASIS 50 PERCENT T. F. A.

[Cents per pound]

	New York	Chicago and Cincinnati	Los Angeles and San Francisco
Domestic vegetable oil soapstock (foots) including but not necessarily limited to cottonseed, soya, corn, peanut or any mixture thereof	6.125	6	6

(1) Where any of the above soapstocks (foots) are delivered to other destinations, the ceiling price shall be the price set forth above for the city nearest the point to which the soapstock is delivered, plus or minus the usual normal differential that prevailed prior to January 1, 1951, between the point to which the soapstock is delivered and the nearest city named in the above schedule.

(2) The usual or normal differentials for grade, above or below the listed grades, shall continue to apply.

(b) *Ceiling prices of acidulated soapstocks.*. The ceiling prices of acidulated soapstocks, delivered in tank cars or tank wagons shall be the following prices:

ACIDULATED SOAPSTOCKS—BASIS 95 PERCENT T. F. A.

	New York	Chicago and Cincinnati	Los Angeles and San Francisco
Domestic vegetable oil acidulated soapstock including but not necessarily limited to cottonseed, soya, corn, peanut or any mixture thereof	12.625	12.5	12.5

(1) Where any of the above acidulated soapstocks are delivered to other destinations, the ceiling price shall be the price set forth above for the city nearest the point to which the acidulated soapstock is delivered, plus or minus the usual or normal differential that prevailed prior to price control between the point to which the acidulated soapstock is delivered and the nearest city named in the above schedule.

(2) The usual or normal differentials for grade, above or below the listed grades, shall continue to apply.

(3) The usual or normal differential for type of container shall continue to apply.

(4) The terms "domestic vegetable oil soapstock" and "domestic vegetable oil acidulated soapstock" mean soapstocks derived from fats and oils not enumerated in section 14 of General Ceiling Price Regulation.

[Sec. 29 added by Amdt. 6]

SEC. 30. *Sellers of fish oils.* The ceiling prices of fish oils shall be as follows:

(a) Fish oils: Loaded on buyers' tank cars, tank trucks, or barge:

	Cents per pound
Menhaden oil, crude, f. o. b. producer's plant, Atlantic and Gulf Coasts	16
Sardine oil, crude, f. o. b. producer's plant, Atlantic Coast	16
Sardine oil, crude, f. o. b. producer's plant, Pacific Coast	16
Pilchard oil, crude, f. o. b. producer's plant, Pacific Coast	16
Herring oil, crude, f. o. b., Seattle	16
Herring oil, crude, f. o. b. producer's plant, Atlantic Coast	16
Crude tuna oil, mackerel oil, red fish oil, seal oil, hairyback fish oil, bottom fish oil, or other fish body oils produced by the reduction of the whole fish or the offal of such fish, f. o. b. plant of production	16

(b) If you import any of the oils specified in paragraph (a) of this section, your ceiling prices for the sale of such fish oils shall be the above ceiling prices, f. o. b. port of entry. These ceiling prices include all import duties and taxes.

(c) The usual and customary differentials for grades above or below these prices for basic grades shall continue to apply.

(d) The usual or customary differentials for types of conveyance or container shall continue to apply.

(e) Sales contracts for the grade and type of fish oil to be delivered, after the effective date of this amendment may be performed only at a price that does not exceed the ceiling prices set forth in paragraph (a) of this section.

(f) If you are a seller of fish oils to be sold at any of the price differentials specified in paragraphs (c) and (d) of this section, you must file, within thirty days from the effective date of this order, with the Fats and Oils Branch, Food and Restaurant Division, Office of Price Stabilization, Washington 25, D. C., a schedule of prices which will indicate the customary differentials from the ceiling price of crude oil which you intend to apply in accordance with paragraphs (c) and (d) of this section.

(g) If you have customarily charged a premium for sales of fish oil to be used as a carrying medium for vitamins, you may apply in writing to the Fats and Oils Branch, Food and Restaurant Division, OPS, Washington, D. C., for an adjustment in your ceiling price for such sales. This application must be filed in duplicate and contain all pertinent information indicating the name and address of the buyer; documentary evidence that you have customarily charged the premium; and the proposed selling price for which you are seeking adjustment.

[Sec. 30 added by Amdt. 7]

NOTE: The record keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

MICHAEL V. DISALLE,
Director of Price Stabilization.

By DAVID C. EBERHART,
Recording Secretary.

[F. R. Doc. 51-7745; Filed, July 2, 1951; 12:17 p. m.]

Chapter VI—National Production Authority, Department of Commerce

[NPA Regulation 3 as Amended June 29, 1951]

REG. 3—OPERATIONS OF THE PRIORITIES SYSTEMS BETWEEN CANADA AND THE UNITED STATES

This regulation as amended is found necessary and appropriate to promote the national defense and is issued pursuant to the authority granted by section 101 of the Defense Production Act of 1950 and to implement the provisions of The Statement of Principles for Economic Cooperation issued by the Governments of the United States and Canada, dated October 26, 1950.

This amendment effects NPA Reg. 3, as amended June 15, 1951, by amending sections 2, 4, and 6; deleting section 7; adding new sections 7 and 8; and renumbering sections 8 and 9 to be 9 and 10.

As so amended, NPA Reg. 3 reads as follows:

Sec.

AUTHORITY: Sections 1 to 9 issued under sec. 704, Pub. Law 774, 81st Cong. Interpret or apply sec. 101, Pub. Law 774, 81st Cong.; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

SECTION 1. *What this regulation does.* In order that the control, priorities, and allocations systems of the two countries be comparable in effect, and in order to coordinate the defense economies of the two countries, this regulation describes how and to what extent contracts or orders in support of the United States defense program or the Canadian Defence Program may have the benefits of the priorities system of the United States. Instructions have been issued by the Canadian Government under appropriate Canadian legislation to provide for priority assistance in obtaining essential Canadian materials and services for the United States defense program.

SEC. 2. *Definitions.* For the purposes of this regulation: (a) "Person" means any individual, partnership, corporation, association, or any other organized group of persons, and includes specifically Canadian distributors and importers as well as any agency of the United States Government or any other government.

(b) "Maintenance, repair, and operating supplies" means MRO as defined in NPA Reg. 4.

(c) "Minor capital additions" means minor capital additions as defined in NPA Reg. 4.

(d) "Controlled materials" means steel, copper, and aluminum in the forms and shapes specified in Schedule 1 of CMP Regulation No. 1.

(e) "Materials" means any raw, in-process, or manufactured commodity, equipment, component, accessory, part, or product of any kind.

SEC. 3. *Rated orders from the United States under the United States defense program placed with Canadian suppliers.* (a) If a rated order from a person in the United States, under NPA Reg. 2, is placed with a supplier located in Canada, either directly or through extension, the Canadian supplier may extend the rating received by him in order to acquire materials in the United States, to the extent permitted by the provisions of section 5 of NPA Reg. 2, and subject to the restrictions of section 6, NPA Reg. 2.

(b) A person located in Canada extending the rating to a supplier located in the United States, pursuant to this section, shall mark on his purchase order the prefix DO and the two-digit designation appearing on the rated order received by him, and shall affix thereto the additional statement to read as follows:

Certified under NPA Reg. 3.

Such certification shall be signed by him in the manner prescribed in section 8, NPA Reg. 2.

(c) If a supplier located in Canada requires priority assistance to obtain materials of Canadian origin to fill a rated order under the United States defense program, received by him from the United States, application should be made by him to the Priorities Division, Department of Defence Production, Ottawa, Canada, for appropriate action.

SEC. 4. *Canadian orders for materials placed with United States suppliers.* (a) Any Canadian Government Department, Corporation, or person charged with procurement under the Canadian Defence Program, or other approved purpose, placing a delivery order calling for delivery of materials to such person located in Canada by persons located in the United States, may make application through the Priorities Division, Department of Defence Production, Ottawa, Canada, to the National Production Authority, Washington 25, D. C., Ref: NPA Reg. 3, for authority to apply to such delivery orders an allotment number to obtain controlled materials or a DO rating with allotment number to obtain products and materials other than controlled materials. All delivery orders to which allotment numbers or DO ratings shall be applied under the provisions of this regulation, shall have equal standing with delivery orders placed by persons in the United States, to which allotment numbers or ratings have been applied under NPA Reg. 2 or any NPA CMP Regulation.

(b) Any person who has been authorized pursuant to section 4 (a) of this regulation to apply allotment numbers or DO ratings to delivery orders shall, in accordance with such authorization and unless otherwise specifically provided by NPA, use (1) the allotment number G–6 on delivery orders for controlled materials for use in construction, (2) the allotment number G–7 on delivery orders for controlled materials for all other uses, (3) the rating DO–G6 for products and materials other than controlled materials for use in construction, and (4) the rating DO–G7 on delivery orders for products and materials other than controlled materials for all other uses. Such delivery orders shall also contain a certification in the following form: "Certified under NPA Reg. 3". Such certification shall be signed in manner prescribed in section 8 of NPA Reg. 2.

SEC. 5. *Certifications by Canadian purchasers to suppliers in the United States.* Certifications under sections 3 (b), 4 (b), and 6 (a) of this regulation constitute a representation to the supplier in the United States, to the National Production Authority, and to the Canadian Director of Priorities, Department of Defense Production, that the person signing such certification is either extending a rating received by him from a purchaser in the United States under the provisions of NPA Reg. 2, or is extending a rating specifically authorized by the National Production Authority under this regulation, which rating was applied for the purposes authorized.

SEC. 6. *Maintenance, repair, and operating supplies, and industrial expansion and capital equipment assistance to persons located in Canada*—(a) *MRO assistance.* Any person located in Canada who, without priorities assistance, cannot obtain MRO and minor capital additions from United States sources, and who requires an allotment number to obtain controlled materials or a DO rating to obtain products and materials other than controlled materials from a United States supplier, may make application through the Priorities Division, Department of Defence Production, Ottawa, Canada, to the National Production Authority, Washington 25, D. C., for a quota and the right to apply such allotment number or rating to such requirements under arrangements made by the Department of Defence Production and NPA giving a comparable effect to the provisions of this regulation in respect to Canadian requirements. No such authorization will be issued by NPA unless the application therefor is approved by the said Priorities Division. Unless NPA shall otherwise provide, the allotment number G–7 shall be used on all delivery orders for controlled materials and the DO rating DO–G7 shall be used on all delivery orders for products and materials other than controlled materials placed pursuant to this section. In either case the delivery order shall also contain the certification specified in section 4 (b) of this regulation. No DO rating or allotment number shall be placed pursuant to this section on delivery orders to obtain items or materials specified in Table I or II of NPA Reg. 4, or Schedule I or II of CMP Regulation No. 5, when issued.

(b) *Industrial expansion and capital equipment assistance.* Under arrangements made with the Canadian Department of Defence Production, if a person located in Canada receives either a DO rated order from a person located in the United States, or an order for Canadian Defence or other approved purpose, and cannot fill such order without assistance in obtaining materials from the United States for plant improvement, expansion, or construction or obtaining machine tools or other items which he will carry as capital equipment, such Canadian supplier may apply to the Priorities Division, Department of Defence Production, Ottawa, Canada, for priorities assistance. Such request for assistance will be examined by the Priorities Division, and if approved by it, may be forwarded to National Production Authority, Washington 25, D. C., Ref: NPA Reg. 3, for action. Ratings for items included in this category may be applied only when so approved by NPA.

SEC. 7. *Status of orders rated DO–47.* (a) Notwithstanding the provisions of section 4 (c) of CMP Regulation No. 3, a delivery order for MRO or minor capital additions calling for delivery of controlled materials in the third calendar quarter of 1951 placed prior to the effective date of this amendment in accordance with the provisions of this regulation and bearing the rating DO–47 shall constitute an authorized controlled material order bearing the allotment number G–7 for the purposes of all CMP regulations and this regulation.

(b) Notwithstanding the provisions of section 5 (c) of CMP Regulation No. 3, a delivery order for MRO or minor capital additions requiring products and materials other than controlled materials calling for delivery in the third calendar quarter of 1951 placed prior to the effective date of this amendment in accordance with the provisions of this regulation and bearing the rating DO–47 shall constitute a rated order with the allotment number G–7 for the purpose of all CMP regulations.

(c) A delivery order for MRO or minor capital additions calling for delivery after the third calendar quarter of 1951, and placed prior to the effective date of this amendment but in accordance with the provisions of this regulation prior to this amendment, and bearing the rating DO–47, must be converted into an authorized controlled material order or into a rated order with the allotment number G–7, as the case may be, in accordance with the provisions of CMP Regulation No. 3. In the absence of such conversion on or before August 15, 1951, the order shall constitute an unrated order.

(d) Rated orders placed prior to June 15, 1951, which bear the rating "DO–47" and the certification "Certified under NPA Reg. 4," and calling for delivery in the third calendar quarter of 1951, shall have the same force and effect as if certified under this regulation.

SEC. 8. *Relation to other regulations and orders of NPA.* All of the provisions of NPA Reg. 2 apply to all persons affected by the provisions of this regulation except to the extent that such provisions are inconsistent, in which event the provisions of this regulation prevail. All of the provisions of CMP Regulation No. 3 as to status of delivery orders shall apply to orders bearing an allotment number or DO rating pursuant to this regulation.

SEC. 9. *Communications.* All communications from persons located in Canada concerning this regulation shall be addressed to the Priorities Division, Department of Defence Production, Ottawa, Canada, and, where necessary, forwarded by that Division to the Na-

tional Production Authority, Washington 25, D. C., Ref: NPA Reg. 3.

SEC. 10. *Violations.* Certain provisions of this regulation may be subject to the penalties pursuant to regulations and orders issued under the Canadian Defence Production Act and the Canadian Emergency Powers Act.

This regulation as amended shall take effect on June 29, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

[F. R. Doc. 51-7699; Filed June 29, 1951; 4:44 p. m.]

[NPA Order M-7, Revocation]

M-7—ALUMINUM FOR CIVILIAN USE

NPA Order M-7, as amended June 1, 1951, is revoked, effective July 1, 1951. The provisions of NPA Order M-7 have been incorporated in NPA Order M-47A to limit use in the third quarter, 1951, of aluminum in certain consumer durable goods and related products. The use of aluminum in most other items in the third quarter, 1951, will be regulated by the issuance of CMP allotments.

This revocation does not affect any liabilities incurred for violation of NPA Order M-7, as amended from time to time, or for violation of any adjustments, exceptions, directions, directives, or other actions of the National Production Authority under it.

(Sec. 704, Pub. Law 774, 81st Cong.)

Issued this 29th day of June 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

[F. R. Doc. 51-7700; Filed, June 29, 1951; 4:44 p. m.]

[NPA Order M-11 as Amended July 1, 1951]

M-11—COPPER AND COPPER-BASE ALLOYS

This order is found necessary and appropriate to promote the national defense and is issued pursuant to the authority of section 101 of the Defense Production Act of 1950. In the formulation of this order there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations. However, consultation with representatives of all trades and industries affected in advance of the issuance of this order as amended has been rendered impracticable due to the necessity for immediate action and because the order affects a large number of different trades and industries.

NPA Order M-11 is amended in the following respects: §§ 29.1 through 29.14 are redesignated as sections 1 through 14, and the following new sections and paragraphs are substituted for the old sections and paragraphs: Section 1; paragraphs (c), (d), and (e) of section 2; the first sentence of section 3; section 4; paragraphs (a), (b), and (c) of section 5; section 6; paragraph (a) of section 7; paragraphs (a), (b), and (c) of section 8; and section 10. In addition, paragraph (c) of section 7 has been redesignated as paragraph (d), and a new paragraph (c) added; and the heading of section 7 has been changed. As so amended, NPA Order M-11 reads as follows:

Sec.
1. What this order does.
2. Copper and copper-base alloy forms and products to which this order applies.
3. Required shipment dates.
4. Rejection of authorized controlled material orders or rated orders.
5. Limitation for acceptance of authorized controlled material orders or rated orders.
6. Total tonnage limitations for acceptance of controlled material orders and rated orders.
7. Effect of authorized controlled material orders and rated orders for unalloyed copper and copper-base alloy ingot.
8. Distributors, jobbers, and warehousers.
9. Scheduled programs.
10. NPA assistance in placing authorized controlled material orders or rated orders.
11. Applications for adjustment or exception.
12. Communications.
13. Reports.
14. Violations.

AUTHORITY: Sections 1 to 14 issued under sec. 704, Pub. Law 774, 81st Cong. Interpret or apply sec. 101, Pub. Law 774, 81st Cong.; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

SECTION 1. *What this order does.* This order applies particularly to producers, sellers, and owners of refined copper and copper-base alloy ingot; producers of brass mill products, copper wire mill products, foundry copper products, and copper-base alloy products; and to distributors, jobbers, and warehousers, of copper and copper-base alloy controlled materials; and provides rules for placing, accepting, and scheduling authorized controlled material orders and rated orders for copper and copper-base alloy. The purpose is to make possible the maximum production of copper and copper-base alloy by reducing to a minimum disruption of normal distribution and by providing equitable distribution of authorized controlled material orders and rated orders upon all copper and copper-base alloy producers and fabricators and all distributors, jobbers, and warehousers of copper and copper-base alloy. It supplements NPA Reg. 2 and CMP Regulations Nos. 1 and 3, but only those provisions of such regulations which are inconsistent with this order are superseded, and all the provisions of those regulations continue to apply to the copper industry.

SEC. 2. *Copper and copper-base alloy forms and products to which this order applies.* This order applies to the following forms and products of copper and copper-base alloy:

(a) *Unalloyed copper.* (It includes electrolytic copper, fire refined copper, and all unalloyed copper in any form including scrap.)

(b) *Copper-base alloy.* Any alloy, the composition of which the percentage of copper metal by weight equals or exceeds 40 percent of the total weight of the alloy. (It includes fired or demilitarized cartridge cases and artillery cases and all copper-base alloys as specified above in any form, including scrap.)

(c) *Brass mill products.* Brass mill products, for the purpose of this order, means copper and copper-base alloys in the following forms: sheet, plate, and strip in flat lengths or coils; rod, bar, shapes, and wire, except copper wire mill products; and seamless tube and pipe. Straightening, threading, chamfering and cutting to width and length, and reduction in gage, do not constitute changes in form of brass mill products except as determined by NPA. The following related products which have been produced by a change in form of brass mill products are not included in the definition of brass mill products:

Circles.
Discs.
Cups.
Blanks and segments.
Forgings.
Welding rod, 3 feet or less in length.
Rotating bands.
Tube and nipples—welded, brazed, or mechanically seamed.
Formed flashings.
Engravers' copper.

Allotments for the purpose of producing such related products shall be in terms of the estimated weight of the brass mill product from which such related product is made.

(d) *Copper wire mill products.* Copper wire mill products means bare wire, insulated wire and cable whatever the outer protective coverings may be, and uninsulated wire and cable, where the conductors are made from copper, copper-base alloy, or copper-clad steel, containing over 20 percent copper by weight. All copper wire mill products should be measured in terms of pounds of copper content.

(e) *Foundry copper products and copper-base alloy products.* Cast copper and copper-base alloy shapes or forms suitable for ultimate use without remelting, rolling, drawing, extruding, or forging. (The process of casting includes the removal of gates, risers, and sprues, and sandblasting, tumbling, and dipping, but does not include any further machining or processing.)

SEC. 3. *Required shipment dates.* An authorized controlled material order or a rated order for copper or copper-base alloy in any of the forms listed in section 2 of this order must specify shipment on a particular date or during a particular month which in no case may be earlier than required by the person placing the order. The producer of copper and copper-base alloy in any of the forms listed in section 2 of this order must schedule the order for shipment within the requested month as close to the required shipment date as is practicable considering the need for maximum production.

SEC. 4. *Rejection of authorized controlled material orders or rated orders.* Producers of copper and copper-base alloy controlled materials in the forms listed in section 2 of this order need not accept an authorized controlled material

order or a rated order which is received less than the number of days prior to the first day of the month in which shipment is requested as set forth in Schedule 3 of CMP Regulation No. 1 unless specifically directed to accept the order by the National Production Authority.

SEC. 5. *Limitations for acceptance of authorized controlled material orders or rated orders.* Subject to the tonnage limitations stated in section 6 of this order, or unless specifically directed by the National Production Authority:

(a) No producer of brass mill products shall be required to accept authorized controlled material orders and rated orders for shipment in any one month in excess of the following percentages of his scheduled monthly production of the products listed below:

	Percent
Unalloyed products:	
Plate, sheet, and strip	60
Rod, bar, wire, shape	90
Seamless copper tube (non-standard)	55
Alloy products:	
Plate, sheet, strip	75
Rod, bar, wire	80
Fourdrinier wire	100
Seamless tube	50
Standardized products:	
S. P. S. pipe and type B tube	20
Copper water tube	55
Copper refrigeration and automotive tube	55
Beryllium copper products:	
Sheet and strip plate	90
Rod, bar, wire	90
Tubing	50

(b) No producer of copper wire mill products shall be required to accept authorized controlled material orders and rated orders for any type or size range of a wire mill product listed in paragraph (d) of section 2 of this order for shipment in any one month in excess of 80 percent of his scheduled monthly production of the same product.

(c) No producer of foundry copper products or copper-base alloy products shall be required to accept authorized controlled material orders and rated orders for shipment in any one month in excess of the following percentages of his scheduled monthly production of the products listed below:

	Percent
Beryllium copper castings	90
All other castings	75

SEC. 6. *Total tonnage limitations for acceptance of controlled material orders and rated orders.* Unless specifically directed by the National Production Authority, no producer of brass mill products, copper wire mill products, foundry copper products, or copper-base alloy products, shall be required to accept authorized controlled material orders and rated orders for shipment in any one month of a total tonnage in excess of 75 percent of his scheduled monthly production of such products.

SEC. 7. *Effect of authorized controlled material orders and rated orders for unalloyed copper and copper-base alloy ingot.* (a) No producer, seller, or owner, of unalloyed copper shall be required to accept authorized controlled material orders or rated orders from any producer of brass mill products, copper wire mill products, foundry copper products, or copper-based alloy products, or from any ingot maker or other user of unalloyed copper, unless the buyer presents a copy of a specific authorization from the National Production Authority covering such authorized controlled material order or rated order.

(b) No producer, seller, or owner of copper-base alloy ingot shall be required to accept rated orders from any producer of brass mill products, foundry copper products, or copper-base alloy products, or from any other user of copper-base alloy ingot, unless the buyer presents a copy of a specific authorization from the National Production Authority covering such rated order.

(c) No producer of brass mill products, copper wire mill products, foundry copper products, or copper-base alloy products shall be required to accept authorized controlled material orders or rated orders from any other producer of brass mill products, copper wire mill products, foundry copper products, or copper-base alloy products.

(d) Nothing in paragraphs (a) or (b) of this section shall interfere with the acceptance of unrated orders for unalloyed copper or copper-base alloy ingot.

SEC. 8. *Distributors, jobbers, and warehousers.* Unless specifically directed by the National Production Authority:

(a) No distributor or jobber of brass mill products shall be required to accept authorized controlled material orders and rated orders for shipment in any one month for a total tonnage in excess of 75 percent of his average monthly shipments by products (including shipments made by others for his account) during the first 3 months of 1951.

(b) No distributor or wholesaler of copper wire mill products shall be required to accept authorized controlled material orders and rated orders for shipment in any one month of total poundage (copper content) of such products in excess of 75 percent of his total shipments from this warehouse stocks during the preceding monthly inventory period.

(c) No distributor or jobber of foundry copper or copper-base alloy products shall be required to accept authorized controlled material orders and rated orders for shipment in any one month of a total tonnage of such products in excess of 75 percent of his total shipments from his warehouse stocks during the preceding monthly inventory period.

SEC. 9. *Scheduled programs.* The National Production Authority will from time to time approve scheduled programs calling for production and delivery of copper and copper-base alloy for stated purposes over specified periods of time. Upon approval of major programs of this type, supplements to this order will be issued distributing such programs and specifying the manner in which they are to be carried out by the copper industry. Thereafter, directives will be issued to individual concerns establishing schedules for their participation in such programs. Such directives shall be complied with by the recipients in accordance with the terms thereof, unless otherwise directed by the National Production Authority.

SEC. 10. *NPA assistance in placing authorized controlled material orders or rated orders.* Any person who is unable to place an authorized controlled material order or rated order for copper or copper-base alloy due to the limitations imposed by sections 5, 6, or 8 of this order should apply to the National Production Authority, Washington 25, D. C., Ref: M–11, specifying the producers, fabricators, distributors, warehousers, or jobbers, who refused to accept the order. The National Production Authority will arrange to assist him in locating sources of supply.

SEC. 11. *Applications for adjustment or exception.* Any person affected by any provision of this order may file a request for adjustment or exception upon the ground that such provision works an undue or exceptional hardship upon him not suffered generally by others in the same trade or industry, or that its enforcement against him would not be in the interest of the national defense or in the public interest. In considering requests for adjustment claiming that the public interest is prejudiced by the application of any provision of this order, consideration will be given to the requirements of the public health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program. Each request shall be in writing and shall set forth all pertinent facts and the nature of the relief sought, and shall state the justification therefor.

SEC. 12. *Communications.* All communications concerning this order shall be addressed to the National Production Authority, Washington 25, D. C., Ref: M–11.

SEC. 13. *Reports.* Persons subject to this order shall make such records and submit such reports to the National Production Authority as it shall require subject to the terms of the Federal Reports Act of 1942 (5 U. S. C. 139–139F).

SEC. 14. *Violations.* Any person who wilfully violates any provision of this order or any other order or regulation of the National Production Authority in the course of operation under this order is guilty of a crime and, upon conviction, may be punished by fine or imprisonment or both. In addition, administrative action may be taken against any such person to suspend his privilege of making or receiving further deliveries of materials or using facilities under priority or allocation control and to deprive him of further priorities assistance.

This order as amended shall take effect on July 1, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

[F. R. Doc. 51–7737; Filed, July 2, 1951; 11:56 a. m.]

[NPA Order M-8, as Amended July 1, 1951]

M-8—TIN

This order which amends and supersedes NPA Order M-8, dated April 2, 1951, is found necessary and appropriate to promote the national defense and is issued pursuant to the authority of section 101 of the Defense Production Act of 1950. In the formulation of this order, there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations. However, consultation with industry representatives in advance of the issuance of this order as amended has been rendered impracticable due to the necessity for immediate action and the fact that the amendment affects a large number of different trades and industries.

NPA Order M-8 is amended by substituting new paragraphs and sections in place of the old paragraphs and sections of the order, as follows: paragraph (f) of section 2; section 5; section 6; paragraphs (a) and (b) of section 7; and subparagraphs (5) and (9) of paragraph (b) of section 8; and by effecting a number of other relatively minor clarifying changes. As so amended, NPA Order M-8 reads as follows:

Sec.
1. What this order does.
2. Definitions.
3. Application of order.
4. Restrictions on use of pig tin and alloys and other materials containing tin.
5. Limitations on use of pig tin.
6. Maintenance, repair, and operating supplies.
7. Allocation of pig tin.
8. Certification.
9. Defense orders for items containing tin.
10. Exemption.
11. Inventories.
12. Export certificates.
13. Importation of pig tin.
14. Reports and records.
15. Applications for adjustment or exception.
16. Communications.
17. Violations.

AUTHORITY: Sections 1 to 17 issued under sec. 704, Pub. Law 774, 81st Cong. Interpret or apply sec. 101, Pub. Law 774, 81st Cong.; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

SECTION 1. *What this order does.* This order amends and supersedes NPA Order M-8. The purpose of this order is to describe how tin remaining after allowing for the requirements of national defense may be distributed and used in the civilian economy. It restricts the use of pig tin in manufacture, processing, and construction. It prohibits all uses of pig tin, secondary tin, and certain tin-bearing products not expressly set forth in the attached Schedules I through VII. In addition, many of the permissible uses included in the Schedules I through VII are prohibited in connection with the manufacture of the items or for the purposes set forth in List A. The order also sets forth limitations on inventories of pig tin and alloys and other materials containing tin, and explains the conditions under which reports are required in connection with the production, distribution, importation, use, and inventories of pig tin. In addition, it covers the conditions under which reporting is required in connection with the customs entry of tin importation. It is the intent of this order that other materials which are not in short supply will be substituted for tin and alloys and other materials containing tin wherever possible. It prohibits the private importation of pig tin and places pig tin under allocation by prohibiting, subject to limited exceptions, any deliveries not covered by allocation authorizations to be issued monthly by the National Production Authority.

SEC. 2 *Definitions.* As used in this order:

(a) "Person" means any individual, corporation, partnership, association, or any other organized group of persons, and includes any agency of the United States or any other government.

(b) "Base period" means the 6-month period ending June 30, 1950.

(c) "Manufacture" means to melt, put into process, machine, fabricate, cast, roll, turn, spin, coat, extrude, or otherwise alter pig tin, alloys containing tin, or other materials containing tin, by physical or chemical means and includes the use of tin and alloys and other materials containing tin in plating, and in chemical compounding and processing. It does not include the use of tin contained in any "in process" materials or any other materials not actually to be incorporated into the items to be manufactured, such "in process" materials and other materials being included under paragraphs (d) and (e) of this section.

(d) "Maintenance" means the minimum upkeep necessary to continue a building, machine, piece of equipment, or facility in sound working condition, and "repair" means the restoration of a building, piece of equipment, or facility to sound working condition when the same has been rendered unsafe or unfit for service by wear and tear, damage, failure of parts, or the like: *Provided, however,* Neither maintenance nor repair includes the improvement of any such item with material of a better kind, quality, or design.

(e) "Operating supplies" means any tin or alloy or other material containing tin normally carried by a person as operating supplies according to established accounting practice and not included in his finished product, except that materials included in such product which are normally chargeable to operating expense may be treated as operating supplies.

(f) "Import" means to transport in any manner into the continental United States from areas outside the continental United States, including territories and possessions. It includes shipments into foreign-trade zones, customs bonded warehouses, and customs custody, except when such shipments are merely in transit through the continental United States, to destinations outside the continental United States, as shown by the bills of lading or other shipping documents. However, if any such material in transit is halted or diverted to a destination in the continental United States or subjected to processing or manufacture in the continental United States, it becomes an "import" for the purposes of this order.

(g) "Pig tin" means metal containing 95 percent or more by weight of the element tin, in shapes current in the trade, including anodes, small bars, and ingots, but excluding the products specifically listed in Section IV of report Form NPAF-7.

(h) "Secondary tin" means any alloy, produced from scrap, which contains less than 95 percent but not less than 1.5 percent by weight of the element tin.

(i) For the purpose of the reporting requirements relating to imports stated in section 14 (b) of this order, "tin" means pig tin and tin in any raw semi-finished, or scrap form, and any alloys, compounds, or other materials containing tin (where tin is of chief value) in any raw, semi-finished, or scrap form. This includes, but is not limited to, the following:

Babbitt metal and solder	6506.100
Alloys and combinations of lead, not in chief value lead (including lead, antimony, and white metal)	6506.900
Type metal	6507.000
Tin bars, blocks, pigs, grained or granulated	6551.300
Tin metallic scrap (except alloyed scrap)	6551.500
Tin alloys, chief value tin n. s. p. f. (including alloyed scrap)	6551.900
Tin dross, skimmings, and residues	6740.170
Tin foil less than 0.006 inch thick	6790.710
Tin powder, flitters, and metallics	6790.720
Tin bichloride, tin tetrachloride, and other chemical compounds, mixtures, and salts, tin chief value (including tin oxide)	8380.920

NOTE: The numbers listed in the second column are commodity numbers taken from Schedule A, Statistical Classification of Imports into the United States, issued by the U. S. Department of Commerce (August 1, 1950 edition).

(j) "Copper-base alloy" for the purpose of this order means any alloy containing tin in the composition of which the percentage of copper metal by weight equals or exceeds 40 percent of the total weight of the alloy.

(k) "Scrap" means all materials or objects which are the waste or by-products of industrial fabrication or which have been discarded for obsolescence, failure, or other reason, and which contain tin or alloys or other materials containing tin in a form making such scrap suitable for industrial use.

(l) "Soldering" means joining with solder. This term does not include dipping or solder-coating in which the joining operation is not performed simultaneously with such dipping or coating. (For dipping or coating see Schedule IV and Schedule VII, item 13).

(m) "Implements of war" means combat end-products, complete for tactical operations (including, but not limited to aircraft, ammunition, armaments, weapons, ships, tanks, military vehicles,

and radio and radar equipment), and any parts, assemblies, or materials to be incorporated in any of these items. This term does not include facilities or equipment used to manufacture the items described above nor does it include any "in process" or any other materials not actually to be incorporated into the items described above.

SEC. 3. *Application of order.* Subject to the exemptions stated in section 10, this order applies to all persons who produce tin or alloys or other materials containing tin, or who use tin or alloys or other materials containing tin, in manufacture, processing, or construction, or for maintenance, repair, or operating supplies. In addition, the reporting provisions stated in section 14 of this order apply to persons who produce, distribute, or hold in their possession pig tin, or who import tin.

SEC. 4. *Restrictions on use of pig tin and alloys and other materials containing tin.* Subject to the exemption in section 10 of this order, or unless specifically directed by the National Production Authority:

(a) No person shall use pig tin for any purpose where secondary tin can be used.

(b) No person shall use any pig tin, secondary tin, solder, babbitt, copper-base alloy, or other alloy containing 1.5 percent or more tin, or other materials containing 1.5 percent or more tin, in the manufacture, treatment, installation, or construction of any item or product, or in any process, or for any purpose, except those set forth in the attached schedules and to the extent permitted thereby. Uses not expressly authorized by said schedules are prohibited.

(c) No person shall use tin in any form specified in paragraph (b) in the manufacture of any item or in any process set forth in List A, even though such use might otherwise be permissible under paragraph (b): *Provided, however,* That this prohibition will not apply to the use of solder for joining purposes to the extent permitted in attached Schedule II.

(d) In addition to the restrictions set forth in the attached schedules, no person shall use: (1) In the manufacture of any product or for any purpose as to which the attached schedules limit tin content, any alloys or other materials having a tin content greater than that being used by such person in such manufacture or for such purpose on January 27, 1951; (2) in the coating of any item, a heavier coating in terms of tin content than that being used by such person for such purpose on January 27, 1951; or (3) any metal to which pig tin has been added to produce any product or perform any process for which the use of pig tin is not permitted in the schedules.

SEC. 5. *Limitations on use of pig tin.* Subject to the limitations in section 4 of this order, or unless specifically directed by the National Production Authority, during the calendar quarter commencing July 1, 1951, no person shall use in the manufacture, processing, installation, construction, or treating of any item or product a total quantity by weight of pig tin in excess of 90 percent of his average monthly use of pig tin for such purposes during the base period except as permitted in the attached schedule: *Provided, however,* That such use in any one month shall not exceed 40 percent of the permitted quarterly use.

SEC. 6. *Maintenance, repair, and operating supplies.* Unless specifically directed by the National Production Authority, no person shall use for maintenance, repair, and operating supplies during the calendar quarter commencing July 1, 1951, or any calendar quarter thereafter, a quantity by weight of pig tin in excess of 100 percent of his average quarterly use of pig tin for such purposes during the base period: *Provided, however,* That his use of pig tin for such purposes shall be in accordance with, and only to the extent permitted in, the attached schedules, and that no pig tin shall be used for such purposes where secondary tin can be used.

SEC. 7. *Allocation of pig tin.* (a) No person shall deliver pig tin or accept delivery of pig tin for any purpose in any month except in accordance with the terms of an allocation authorization issued for such month by the National Production Authority. An allocation authorizaiton will be sent by the National Production Authority to the appropriate supplier and the purchaser will be notified of the issuance thereof. The authorization will permit the supplier to make delivery pursuant to the purchaser's order within the limitations of the authorization. The National Production Authority may specifically direct the purposes for which a person may use pig tin in the manufacture, processing, installation, treating, or construction of any item or product, whether or not such pig tin has been directly allocated to such person. A person who has received pig tin pursuant to an allocation for the purpose of resale may dispose of such pig tin only by resale. The issuance of an allocation authorization by the National Production Authority shall not dispense with the necessity of complying with the requirements of section 8 of this order with regard to certification.

(b) An application for an allocation authorization must be filed with the National Production Authority by the proposed purchaser on Form NPAF–7 not later than the twentieth day of the month preceding the month in which delivery is sought, and such application shall separately indicate the quantity of pig tin requested for use and the quantity requested for resale.

(c) No person shall deliver any pig tin if he knows, or has reason to believe, that the person requesting delivery is not permitted to receive it under this order or will use it for purposes not permitted by this order.

(d) The provisions of paragraph (a) of this section shall not apply to any: (1) delivery of pig tin to the Reconstruction Finance Corporation or the General Services Administration for the stockpile of strategic materials; (2) delivery of pig tin pursuant to specific directives of the National Production Authority; (3) delivery of pig tin to any person whose total receipts during the month in which such delivery occurs are and by such delivery will remain less than 6,000 pounds, and who has not received an allocation authorization for pig tin for that month, and who furnishes to the supplier a signed certification in substantially the following form:

The undersigned certifies, subject to the penalties of Title 18, U. S. Code (Crimes), section 1001, that receipt of this shipment of pig tin in the month requested is permitted by NPA Order M–8; that no allocation authorization for pig tin for that month has been issued to the undersigned by the National Production Authority; that his total receipt of pig tin in that month, including that covered by this order, will not exceed 6,000 pounds; and that the pig tin herein ordered will be used only for the purposes permitted by NPA Order M–8 (Schedule _____, Item _____) as follows: [1]

_____
(Specify end use)

Any person who furnishes the foregoing certification shall not be required to furnish, with respect to pig tin, the certification required by section 8 of this order.

SEC. 8. *Certification.* (a) No person shall sell or deliver and no person shall purchase or accept delivery of any pig tin, secondary tin, solder, babbitt, or any other alloys or materials containing 1.5 percent or more tin (excluding ores and concentrates) until the purchaser has furnished a signed certification in substantially the following form:

The undersigned certifies, subject to the penalties of Title 18, U. S. Code (Crimes), section 1001, that the tin or tin product herein ordered will be used only for the purposes permitted by NPA Order M–8 (Schedule____, item____) as follows: [1]

_____
(Specify end use)

This certification constitutes a representation by the purchaser to the seller and to the National Production Authority that the tin or tin-bearing products or materials delivered will be used either for the purpose or purposes set forth in the attached schedules or for "implements of war," or for resale without change in form (other than packaging), and that such use is not prohibited by other applicable orders or regulations of the National Production Authority.

(b) This certification shall not be required in connection with the delivery of: (1) tin to the General Services Administration for the stockpile of strategic materials; (2) tin or tin-bearing items or products pursuant to a specific authorization of the National Production Authority; (3) solder in lots not exceeding 2 pounds, if in wire form, solid or cored, not over 5/32 inch in diameter, and containing no more than 40 percent tin by weight; (4) solder in lots not exceeding 5 pounds, if in any other form and

[1] In cases coming within the exemption stated in section 10, substitute the phrase "implements of war" for the reference to Schedule and item. Where the tin or tin products are purchased for resale without change in form (other than packaging), substitute the phrase "for resale upon proper certification."

containing not more than 35 percent tin by weight; (5) babbitt for bearing purposes containing 10 percent or less tin; (6) babbitt for bearing purposes of any specifications in lots of 5 pounds or less; (7) printing plates and type metal containing tin for use by the printing, publishing, and related services industries; (8) liquor-finished wire; or (9) copper-base alloy scrap containing not more than 6 percent tin by weight when delivered to a scrap dealer, brass mill, or smelter, such scrap when delivered to any other person and all other scrap containing 1.5 percent or more tin by weight may be delivered only upon proper certification by the purchaser.

(c) No person giving a certification under this section may receive, use, or dispose of the materials obtained upon such certification contrary to its terms.

SEC. 9. *Defense orders for items containing tin.* Notwithstanding the provisions of NPA Reg. 2 which establishes a priorities system, rated orders calling for items containing tin are subject to the provisions of sections 4, 5, 6, and 8 of this order unless within the exemption provided in section 10 or unless otherwise directed by the National Production Authority.

SEC. 10. *Exemption.* The restrictions of section 4 of this order shall not apply to the manufacture of "implements of war" produced for the Department of Defense, Atomic Energy Commission, United States Coast Guard, and the National Advisory Committee for Aeronautics, provided that the use of tin contrary to these restrictions is required either by the latest applicable specifications or drawings, or by letter or contract issued by any such government agency for which the "implements of war" are being produced.

SEC. 11. *Inventories.* In addition to the inventory provisions of NPA Reg. 1, it is considered that a more exact requirement applying to users of pig tin or alloys or other materials containing tin (excluding ores and concentrates) is necessary.

(a) No person obtaining any such materials for use in manufacture, processing, or construction, or for maintenance, repair, or operating supplies, shall receive or accept delivery of a quantity of the materials listed in Column A below from domestic sources, if his inventory of such materials is, or by such receipt would become, more than the smallest quantity which will be required by his scheduled method and rate of operation to be put into use for such purposes during the next succeeding period specified in the corresponding section of Column B below, or (except for pig tin) in excess of a "practicable minimum working inventory" as defined in NPA Reg. 1, whichever is less:

Column A	Column B
1. Pig tin for tin plate	1. 120 days
2. Pig tin for all other uses	2. 60 days
3. Lead-base alloys	3. 45 days
4. All other materials and alloys containing 1.5 percent or more tin	4. 60 days

For the purpose of this section, any such materials in which only minor changes or alterations have been effected shall be included in inventory.

(b) Section 10.11 of NPA Reg. 1, entitled "Imported materials" will continue to apply. The other provisions of that regulation will continue to apply except as modified by this section.

(c) No scrap dealer shall accept delivery of any form of scrap defined in section 2 of this order, unless, during the 60 days immediately preceding the date of such acceptance, he shall have made delivery or otherwise disposed of scrap to an amount at least equal in weight to his scrap inventory on the date of such acceptance, exclusive of the delivery to be accepted.

SEC. 12. *Export certificates.* Any purchaser of an item included in the attached schedules who intends to export such item from the United States, its territories or possessions, or from Canada, shall include in the certification required under section 8 of this order the words "for export" as well as the number of the export license applicable to such item. No item may be produced for export unless its manufacture is permitted under the provisions of section 4 of this order.

SEC. 13. *Importation of pig tin.* Commencing on the effective date of this order, no person other than the Reconstruction Finance Corporation acting for and in behalf of the General Services Administration, shall import into the United States, its territories or possessions, any quantity of pig tin in bars, blocks, pigs, grain or granulated (Item 6551.300 Statistical Classification of Imports into the United States, dated August 1, 1950), except as specifically authorized in writing by the National Production Authority: *Provided, however,* That this prohibition shall not apply to any private importation pursuant to a contract executed prior to the effective date of this order, which is reported to and approved by the National Production Authority on or before March 25, 1951. The report of such contracts shall be by letter in duplicate addressed to the National Production Authority, Washington 25, D. C. (Ref: M-8), stating the date of execution of the contract, the parties thereto, the approximate date or dates of arrival, and the quantity and brand or brands of the material to be imported.

SEC. 14. *Reports and records.* (a) *Reports on pig tin.* (1) Any person using 1,000 pounds or more of pig tin in any calendar month must complete and file report Form NPAF-7 with the National Production Authority on or before the twentieth day of November 1950, and on or before the twentieth day of each succeeding month with respect to such use during the preceding month.

(2) Any person who on any day of any calendar month has in his possession or under his control 1,000 pounds or more of pig tin must complete and file report Form NPAF-7 with the National Production Authority on or before the twentieth day of November 1950, and on or before the twentieth day of each succeeding month with respect to such possession or control on the last day of the preceding month.

(3) Any person who produces, imports, or distributes any pig tin must report his production, entries, receipts, deliveries, inventories, balance of entries, and all other transactions in pig tin either by completing and filing report Form NPAF-7, or by letter in triplicate with the National Production Authority, on or before the 20th day of November 1950, with respect to all such operations and transactions during October 1950, and on or before the tenth of December and on or before the tenth day of each succeeding month with respect to all such operations and transactions during the preceding month.

(b) *Reports on Customs Entry.* No tin including, without limitation, tin imported by or for the account of the Reconstruction Finance Corporation, U. S. Commercial Company, or any other United States governmental department, agency, or corporation, shall be entered through the United States Collectors of Customs, unless the person making the entry shall complete and file, with the Collector of Customs, Form NPAF-8. The filing of such form a second time shall not be required upon any subsequent entry of the same material through the United States Collectors of Customs; nor shall the filing of such form a second time be required upon the withdrawal of such material from bonded custody of the United States Collectors of Customs, regardless of the date when such material was first transported into the continental United States. Form NPAF-8 will be transmitted by the Collectors of Customs to the National Production Authority.

(c) *Records.* (1) Each person participating in any transaction covered by this order shall retain in his possession for at least 2 years records of receipts, deliveries, inventories, and use, in sufficient detail to permit an audit that determines for each transaction that the provisions of this order have been met. This does not specify any particular accounting method and does not require alteration of the system of records customarily maintained, provided such records supply an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals.

(2) All records required by this order shall be made available at the usual place of business where maintained for inspection and audit by duly authorized representatives of the National Production Authority.

(3) Persons subject to this order shall make such records and submit such other

reports to the National Production Authority as it shall require, subject to the terms of the Federal Reports Act of 1942 (5 U. S. C. 139–139F).

(d) *Submission of reports.* All reports required by this order shall be addressed to the National Production Authority, Washington 25, D. C., Ref: M–8, together with such number of copies as may be specified in the report form.

SEC. 15. *Applications for adjustment or exception.* Any person affected by any provision of this order may file a request for adjustment or exception upon the ground that his business operation was commenced during or after the base period, that any provision otherwise works an undue or exceptional hardship upon him not suffered generally by others in the same trade or industry, or that its enforcement against him would not be in the interest of national defense or in the public interest. In examining requests for adjustment claiming that the public interest is prejudiced by the application of any provision of this order, consideration will be given to the requirements of the public health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program. Each request shall be in writing and shall set forth all pertinent facts and the nature of the relief sought, and shall state the justification therefor.

SEC. 16. *Communications.* All communications concerning this order shall be addressed to the National Production Authority, Washington 25, D. C., Ref: M–8.

SEC. 17. *Violations.* Any person who wilfully violates any provision of this order, or any other order or regulation of the National Production Authority, or who wilfully conceals a material fact or furnishes false information in the course of operation under this order is guilty of a crime and, upon conviction, may be punished by fine or imprisonment or both. In addition, administrative action may be taken against any such person to suspend his privilege of making or receiving further deliveries of materials or using facilities under priority or allocation control and to deprive him of further priorities assistance.

NOTE: All reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order, as amended, shall take effect, except as otherwise specifically stated, on July 1, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

LIST A

(See Section 4)

1. Advertising specialties.
2. Art objects.
3. Britannia metal, pewter metal, or other similar tin-bearing alloys.
4. Buckles.
5. Buttons.
6. Chimes and bells.
7. Coated paper.
8. Emblems and insignia.
9. Fasteners as follows: book match clips and staples, paper clips, spiral binders, office staples, and paper fasteners.
10. Jewelry.
11. Novelty souvenirs and trophies.
12. Ornaments and ornamental fittings.
13. Hollowware.
14. Plating and coating for decorative purposes.
15. Powder for decorative purposes.
16. Refrigerator trays or shelves (all types).
17. Seals and labels.
18. Slot, game, and vending machines.
19. Tablets, markers, and memorials.
20. Tin oxide (except for the purposes and to the extent set forth in Schedule VI).
21. Toys and games.
22. Zinc galvanizing.
23. All other ornamental or decorative purposes.

SCHEDULES

(See section 4)

SCHEDULE I—BRASS AND BRONZE

A. CAST COPPER-BASE ALLOYS

Alloys containing 3.5 percent or more by weight of tin may be cast for the following purposes only	*Maximum permissible tin content of alloys (percent by weight)*
(1) Piston rings for locomotives and for airbrake equipment	(1) 20.
(2) Bridge trunnion bearings, bridge bearing plates, railroad and bridge turntable bearing discs, mill stand screw down nuts.	(2) 18.
(3) Jack nuts, feed nuts, and elevating nuts	(3) 14.
(4) High ratio worm gears, fire engine pump gears, thrust washers or discs, machine tool spindle bearings.	(4) 12.
(5) Hydraulic pump bodies and ends for gear pumps, grinder spindle sleeve bearings, step bearings, internal parts of industrial centrifugal pumps and injectors, collector rings, bearings, bushings, and chemical process valves.	(5) 10.
(6) Bearings produced by the process of powder metallurgy	(6) 10.
(7) Steam industrial and aircraft valves, fittings, and specialties.	(7) 6.5.
(8) All other castings	(8) 6.

B. WROUGHT ALLOYS

(1) Telephone drop wire, condenser tubes, engine beater bars, jordan bars, ductor blades, four dinier wire, and screen plates.	(1) 8.
(2) Manufacture of discs and diaphragms for industrial control instruments, bronze welding rods, and rifle nuts in air hammers.	(2) 10.
(3) For use as bearings, spectacle wire, and functional parts in all other items (except items in List A).	(3) 5.5.
(4) All other (except items in List A)	(4) 2.

C. COPPER NICKEL ALLOYS

(1) Seats, discs, and bearing surfaces of steam and industrial valves.	(1) 13.

SCHEDULE II—SOLDERS

Pig or secondary tin may be used to make solder to be used for the following purposes only. (See definition of "soldering" in section 2. Solder coating is covered by Schedule IV, and item 13, Schedule VII.)	*Maximum permissible tin content of solder (percent by weight)*
(1) For soldering side seams in the manufacture of cans made with either lock or lap side seams with a combination of lock or lap seams.	(1) 5.
(2) For soldering end seams of all solder seam cans	(2) 26.
(3) For the sealing of milk cans	(3) 21.
(4) For a filler or smoother for automobile or truck bodies or fenders or for similar purposes.	(4) 20.
(5) Radiators	(5)
(i) All cellular type radiators (average per radiator)	(i) 21.
(ii) All fin and tube type radiators for military and civilian use (average per radiator).	(ii) 30.
(iii) Wire solder not over 5/32 inch in diameter for the hand repair of radiators	(iii) 40.
(6) For all soldering on the following: railroad car and truck refrigeration; refrigeration equipment inside refrigeration compartments; aluminum refrigeration condensers; aircraft motors; diesel and electric generators; electric-traction motors; generators for railroads, street cars, mine locomotives, railway locomotives, and busses (including the dipping of commutator segments).	(6) Unlimited.
(7) Electrical precision instruments; meters, recording and indicating; dairy equipment; food processing equipment; and hospital and sterilizing equipment.	(7) 50.
(8) Tin-zinc solders for soldering aluminum foil condensers, and tin-lead solders for soldering printed circuits.	(8) 60.
(9) For other hand soldering operations done either with a soldering iron or with a torch and wiping.	(9) 40.
(10) For any other soldering operations	(10) 35.

SCHEDULE III—BABBITT

Pig or secondary tin may be used to make babbitt metal or alloys used as babbitt, cast or plated, for the following purposes only:	*Maximum permissible tin content of babbitt (percent by weight)*
(1) For manufacture, repair, maintenance, or replacement of multivane crosshead linings in locomotives or for lining aluminum crossheads, and for bonding of precision bearings and all bearings included under items (2) and (3) below.	(1) Unlimited.
(2) For manufacture, repair, maintenance, or replacement of connecting rods or main engine bearings for trucks, tractors, bulldozers, or busses.	(2) 90.
(3) For manufacture, repair, maintenance, or replacement of Diesel engines; turbines; locomotive connecting rod or coupling rod bearings; irrigation water pumping engines and equipment; industrial engines, generators, and motors; compressors; pumps; vessels or other ship facilities; electric locomotives; electric traction motor and generator bearings; stone crusher bearings; saw mill, planing mill, paper mill machinery, and roll neck bearings 8 inches in diameter or larger.	(3) 90.
(4) For any other bearing purpose	(4) 10.

SCHEDULE IV—PLATING AND COATING

Pig tin or alloys containing tin may be used to plate or coat solely for protective or functional purposes in the following items only	*Permitted use of pig tin or alloys containing tin*
(1) Dairy equipment:	(1)
(i) New fluid milk shipping containers.	(i) Pig tin may be used only when and to the extent specifically authorized in writing by the NPA.
(ii) All other dairy equipment including the retinning of fluid milk shipping containers.	(ii) Plate, coat, or retin.
(2) Equipment for preparing and handling food, including kitchen utensils, galley and mess equipment.	(2) Coat or retin only such parts as are designed to come in actual contact with food.
(3) Cutlery and flatware.	(3) Plate or coat.
(4) Copper or brass pipe and fittings:	(4)
(i) Tubing or fittings to dispense beverages or distilled water.	(i) Coat.
(ii) Tubing or fittings used as refrigeration tubing or in contact with beverages or drinking water in beverage or drinking water equipment.	(ii) Electro tin or chemically tin.
(5) Snap fasteners and hooks and eyes	(5) Tin or tin chemicals may be used for barrel plating or chemical plating.
(6) Copper and copper-base alloy wire and strip:	(6)
(i) Wire—0.032 inch nominal diameter or finer.	(i) Coat.
(ii) Wire—larger than 0.032 inch nominal diameter.	(ii) Coat with alloy containing not more than 12 percent tin by weight.
(iii) Strip—0.0250 inch thick or thinner where solderable coating is required for electrical connection.	(iii) Coat. Coating limited to 0.0004 inch in thickness.
(iv) Strip—where solderable coating is required for radiators and heat exchangers.	(iv) Coat with an alloy containing not more than 15 percent tin by weight.

SCHEDULE IV—PLATING AND COATING—Continued

Pig tin or alloys containing tin may be used to plate or coat solely for protective or functional purposes in the following items only	*Permitted use of pig tin or alloys containing tin*
(7) Steel wire, for following purposes:	(7) Coat for purposes indicated.
(i) Liquor finishing process of fine steel bright wire.	
(ii) Armature binding wire and wire for all electrical equipment and aircraft parts including aircraft wire and cable.	
(iii) Wire having ultimate tensile strength of 100,000 pounds per square inch for manufacture of stranded cable (not including picture wire, fishing leaders, and like items) but including musical instrument strings.	
(iv) Spring steel wire for use as springs where prime function of the wire is a spring and alternative coatings cannot be used (this does not include wire for spiral binding and like applications).	
(v) Wire for use in manufacture of equipment for the production of textiles.	
(vi) Wire for manufacture of pin tickets and tag wire in direct contact with garments and other textiles and including dry cleaning and laundry tag use, for pin type card holders and brake strand.	
(vii) Beekeepers' wire for comb construction.	
(viii) Wire for packaging or marking food where wire comes into actual contact with edible portions of the food.	
(7) Steel wire, for following purposes—Continued	(7) Coat for purposes indicated.
(ix) Bookbinders' wire or preformed staple wire to be used in foot or power operated stitching machines using wire in coils or spools or preformed staples for the following:	
(a) Stitching of magazines, books, booklets, and pamphlets, other than those used solely for advertising purposes.	
(b) Preformed containers for dairy products and other foods and for pull-up tabs for bottles and tubs only where the wire comes into direct contact with the food.	
(x) Stitching wire and wire for staples to be used in hand, foot, or power operated stitching machines using wire in coils or spools or preformed staples for the following:	
(a) Attaching tabs and tickets to garments, other textiles, leather and imitation leather, and sheet plastics, and for attaching these items to other items or materials;	
(b) Stitching and stapling in industrial manufacturing operations where tinned stitching wire or staples are required for penetration and alternative coatings cannot be used (this does not include wire for office staples, staples for tea bags, book matches, or box and carton construction).	

SCHEDULE IV—PLATING AND COATING—Continued

Pig tin or alloys containing tin may be used to plate or coat solely for protective or functional purposes in the following items only	*Permitted use of pig tin alloys containing tin*
(8) Tin plate and terneplate	(8) Pig or secondary tin may be used to coat tin plate only when and to the extent specifically authorized in writing by the NPA. Only secondary tin may be used to produce terne metal for coating terneplate. Terne metal containing not more than 15 percent tin may be used for coating short ternes and roofing ternes. Terne metal containing not more than 10 percent tin may be used for coating all other long ternes. All uses of tin plate and terneplate shall be in accordance with the specification limits stated in NPA Order M-24.
(9) Sheet (other than tin plate, terneplate, or tin mill black plate), tubing, wire, foundry chaplets, etc.	(9) Lead-base alloys containing not more than 7 percent of tin, may be used to coat, if the alloys are derived from secondary tin only.
(10) Steel-bearing shells	(10) Pig or secondary tin may be used to electro-tin to a thickness not exceeding 0.00006 inch.
(11) Electrotype shells	(11) Pig or secondary tin may be used to electro-plate, electrotype shells only where such installations were operating on or before January 27, 1951.

SCHEDULE V—FOIL

Pig or secondary tin may be used to make foil for the following purposes only	*Maximum permissible tin content of foil (percent by weight)*
(1) Electrotypers foil	(1) 30.
(2) Soft babbitt for the preparation of industrial metallic packing.	(2) 1½.
(3) Condenser foil of dimensions 0.00035 inch by 1 inch or less.	(3) 50.
(4) Condenser foil for all other condensers	(4) 15.
(5) Foil for aircraft magnetos	(5) 50.
(6) Cap liner foil for packing medicinal, pharmaceutical, and biological preparations containing chloroform or other highly volatile chemicals; and preparations containing an equivalent alcohol content in excess of 50 percent, and for which other types of liners cannot be used.	(6) Unlimited.
(7) Dental foil	(7) Unlimited.
(8) Lead-base foil for burglar alarm systems	(8) 4½.

SCHEDULE VI—TIN CHEMICALS AND TIN OXIDE

A. TIN CHEMICALS

Types of tin chemicals	*Permitted use*
(1) Pig tin or tin chemicals (excluding tin oxide).	(1) May be used only as or for: Laboratory reagents, medicinals, or plating (to the extent permitted in other schedules).
(2) Tin chemicals (excluding tin oxide) produced from secondary tin-bearing drosses, residues, or scrap metal, having a tin content not over 10 percent and an impurity content too high for use in the production of other items permitted in the attached schedules.	(2) May be used for any purpose except to make items included in List A.

B. TIN OXIDE

Production	*Permitted use*
Pig tin cannot be used to make tin oxide except when and to the extent that manufacture is specifically authorized in writing by NPA.	(1) For the production of green, pink, yellow, and red colors in amounts in any one month not in excess of 50 percent of the average monthly use for such purposes during the base period. (2) For the production of earthenware plumbing fixtures. (3) Laboratory agents and medicinals.

SCHEDULE VII—MISCELLANEOUS

Items	*Permitted use*
(1) Aluminum alloys containing tin where tin content does not exceed 7 percent by weight.	(1) For any purpose except to make items included in List A.
(2) Tin pipe, sheet tin and fittings to repair or maintain beverage dispensing units and their parts, including soda fountain carbon dioxide tanks.	(2) May be made from pig or secondary tin provided the purchaser returns to the supplier a quantity of scrap tin with the same tin content as that supplied.
(3) Tin pipe or tubes	(3) Where required, for conducting chemically pure distilled water.
(4) Bolster metal	(4) In the manufacture of surgical instruments if the tin content of the bolster metal does not exceed 35 percent of tin by weight. For all other cutlery, if the tin content of the bolster metal does not exceed 10 percent of tin by weight and provided such bolster metal is produced from secondary tin only.
(5) Pipe organs for religious and educational institutions.	(5) May be manufactured, rebuilt, or repaired with secondary tin taken from the inventories of organ builders or acquired from old organs.
(6) Dental amalgam alloys	(6) No restriction on tin content.
(7) Detonators and blasting caps (including electric blasting caps).	(7) Pig or secondary tin may be used to make the detonators and blasting caps and all necessary parts and accessories.
(8) Collapsible tubes	(8) Pig or secondary tin may be used in accordance with the specification limits stated in NPA Order M-27.
(9) Printing plates and type metal containing tin.	(9) May be made for use by the printing, publishing, and related services industries without certification.
(10) Terne metal	(10) Terne metal containing not more than 15 percent of tin may be produced if made from secondary tin only.
(11) Fusible alloys and dry pipe seat rings	(11)—
(i) Dry pipe seat rings	(i) Pig or secondary tin may be used to the extent required to meet performance specifications.
(ii) Fusible alloys for safety purposes only.	(ii) Pig or secondary tin may be used to the extent required to meet minimum code requirements with respect to the operation of the product in which the alloy is to be contained.
(12) Linings for chromium plating tanks and lead anodes for chromium plating.	(12) Lead-base alloys containing not more than 4 percent tin may be used if the alloys are derived from secondary tin only.

SCHEDULE VII—MISCELLANEOUS—Continued

Items	Permitted use
(13) Bismuth alloys. Pig or secondary tin may be used for the production of bismuth alloys.	(13) (a) for items permitted by both Order M-48 and the schedules attached to Order M-8; the tin content is limited to that set forth in the schedules for the particular item and use. (b) For all other items permitted by Order M-48 and not included in the schedules attached to Order M-8, the tin content is limited to the minimum required for the particular use under Order M-48.
(14) Clutch and brake facings when produced by the process of powder metallurgy.	(14) Not more than 10 percent by weight of tin powder.
(15) Carbon brushes when produced by the process of powder metallurgy.	(15) Tin powder up to 12 percent of the copper content by weight.
(16) Hammer metal, die proofing metal, and filling and sealing metal.	(16) Lead-base alloys containing not more than 5 percent tin may be used if the alloys are derived from secondary tin only.

[F. R. Doc. 51-7697; Filed, June 29, 1951; 4:43 p. m.]

[NPA Order M-14 as Amended March 31, 1951, Amendment 1]

M-14—NICKEL

EXTENSION OF RESTRICTION ON CONSUMPTION

This amendment of June 29, 1951, to NPA Order M-14 is found necessary and appropriate to promote the national defense and is issued pursuant to the authority granted by section 101 of the Defense Production Act of 1950. In the formulation of this amendment, consultation with industry representatives has been rendered impracticable due to the necessity for immediate action.

This amendment affects NPA Order M-14 as amended March 31, 1951, as follows:

It amends section 5 of NPA Order M-14 by extending, through the third calendar quarter of 1951, the restriction on the consumption of nickel.

Section 5 is hereby amended to read as follows:

SEC. 5. *Use of nickel.* Subject to the exemptions stated in section 8 of this order, or unless specifically directed in writing by the National Production Authority, no person shall consume in production or processing during the first, second, or third calendar quarters of 1951 a quantity of nickel (as defined in paragraph (a) of section 3 of this order) by weight in excess of 65 percent of his average quarterly consumption of nickel for such purposes during the base period: *Provided, however,* That his consumption in any one month shall not exceed 40 percent of the permitted use during the quarter.

(Sec. 704, Pub. Law 774, 81st Cong.)

This amendment shall take effect on June 29, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

[F. R. Doc. 51-7704; Filed, June 29, 1951; 4:46 p. m.]

[NPA Order M-46, Supplement 1]

M-46—PRIORITIES ASSISTANCE FOR THE PETROLEUM AND GAS INDUSTRIES IN THE UNITED STATES AND CANADA

SUPP. 1—AUTHORIZATION OF ALLOTMENT SYMBOLS AND RULES PERTAINING TO USE

This supplement to NPA Order M-46 is found necessary and appropriate to promote the national defense and is issued pursuant to the authority granted by section 101 of the Defense Production Act of 1950.

PURPOSE AND SCOPE

Sec.
1. The allotment number.
2. Present assistance in NPA Order M-46.
3. What this supplement does.

ALLOTMENT NUMBERS

4. Authorization of allotment numbers.
4. Explanation of allotment numbers.
6. Use of non-controlled materials.
7. Use with specially assigned rating.

LIMITATIONS ON USE

8. Applicability of NPA Order M-46.
9. Restrictions and revalidation.
10. Current validity.
11. Effective time.

AUTHORITY: Sections 1 to 11 issued under sec. 704, Pub. Law 774, 81st Cong. Interpret or apply sec. 101, Pub. Law 774, 81st Cong.; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

PURPOSE AND SCOPE

SECTION 1. *The allotment number.* In order to get controlled material under the Controlled Materials Plan, it is necessary to identify quantities of controlled materials which may have been authorized. This identification is called an allotment number. Section 11 of CMP Regulation No. 1 describes these allotment numbers. The use of allotment numbers by individual operators must, however, be authorized either pursuant to the orders under which the operator is working or directly by a Claimant Agent. Accordingly, CMP Regulation No. 1 does not of itself make allotment numbers available and some additional means of doing this must be provided.

SEC. 2. *Present assistance in NPA Order M-46.* Order M-46 makes priorities assistance available to the petroleum and gas industries. At the time of its issuance, as amended, on June 1, 1951, no allotment numbers had been made available to the Petroleum Administration for Defense for use by petroleum or gas operators. The only assistance made available in that order was therefore the assistance of a DO rating.

SEC. 3. *What this supplement does.* Allotment numbers have now been assigned to petroleum and gas programs. It is therefore possible now to make them available to operators in the petroleum and gas industries. This supplement is accordingly issued for that purpose.

ALLOTMENT NUMBERS

SEC. 4. *Authorization of allotment numbers.* The following allotment numbers are hereby made available to an operator as defined in NPA Order M-46:

(a) H-9 may be used only to obtain MRO material;

(b) H-2 may be used only to secure material for use in a production operation;

(c) H-1 may be used only to secure material for use in a construction operation.

SEC. 5. *Explanation of allotment numbers.* (a) In using the numbers to secure delivery of controlled material, the operator must designate on his delivery order the calendar quarter in which he has been authorized to accept delivery of the controlled material. He does this by an abbreviation, the first number of which stands for the calendar quarter in which delivery is to be made, the letter of which stands for the word "quarter", and the last number for the year. Thus, a complete symbol for use on delivery orders for MRO material for delivery in the fourth quarter of 1951 would look like:

H-9-4Q51.

(b) A complete symbol covering delivery of oil country tubular goods in the fourth quarter would consist of the symbol H-2, followed by a dash and the letters 4Q51. The allotment number would therefore be:

H-2-4Q51.

If the operator had been authorized to get MRO materials for the third quarter, and the material was a controlled material, his allotment number would be H-9-3Q51. If the operator had been authorized to get controlled material in the first quarter of 1952 for use in a refining installation (construction operation), his allotment number would be H-1-1Q52.

SEC. 6. *Use of non-controlled materials.* To get materials which are not controlled material but for which priorities assistance may be or may have been authorized, the operator may use and apply the rating "DO", plus the proper allotment number indicated above. Thus, if he wanted MRO material and was authorized to use priorities assistance pursuant

to NPA Order M–46, he would identify the order as follows:

DO–H–9.

The symbol DO–H–9 must be used in place of the DO–97 symbol set forth in section 3 of NPA Order M–46. For material which is not controlled material but which is for use in a production operation, the operator must use the symbol DO–H–2 in place of the symbol DO–48. For material which is not a controlled material but which is for use in a construction operation, the operator must use the symbol DO–H–1 in place of the symbol DO–48.

SEC. 7. *Use with specially assigned rating.* Certain materials have in the past been rated by special action of NPA. The ratings thus assigned may be different from those presently assigned by NPA Order M–46. For example, an operator may previously have been authorized to use the rating DO–46 to get controlled material or fabricated items for a refining installation. In such circumstances, the operator may use the appropriate allotment number identified above for either controlled material or fabricated items which may have been authorized.

LIMITATIONS ON USE

SEC. 8. *Applicability of NPA Order M–46.* In using any of these symbols, the operator will be bound by all other requirements of NPA Order M–46. The authority contained in this supplement merely relates to revised allotment numbers and rating symbols and the substitution of these for those presently available in Order M–46. Thus, where DO–97 may not be used to obtain material (see Schedule D of Order M–46) the symbol H–9 or DO–H–9 may not be used.

SEC. 9. *Restrictions and revalidation.* (a) In using an allotment number to get controlled material, the operator may not use it for more than the quantity for which he has been authorized. Moreover, the operator may use the number only to get deliveries of controlled material during the calendar quarter in which he has been authorized to accept deliveries.

(b) If, as to authorizations granted prior to the date of this supplement, no calendar quarter has been specified, the operator may not use the allotment number for controlled material until he has obtained from the Petroleum Administration for Defense specific authority to use the number for deliveries during a particular calendar quarter. He may obtain this authority by filing with the Petroleum Administration for Defense 2 copies of his delivery order for controlled material, together with an explanatory statement as to his need for the controlled material during the quarter requested and what will happen if delivery is not timely made. The request should be filed with the Petroleum Administration for Defense, Attention: Materials Division, Ref: Supp. 1 to M–46.

(c) If an operator, who has been granted an allotment and who has used the allotment number for deliveries of controlled material during the third calendar quarter of 1951, does not receive the material in that quarter, his allotment and allotment number for that quarter expire. He must, therefore, request a revalidation of the allotment and use of the appropriate allotment number before he may accept delivery of controlled material, bearing that allotment number, in the fourth or any succeeding quarter. He makes this request by filing two copies of his delivery order for the controlled material with the Petroleum Administration for Defense, Attention: Materials Division, Ref: Supp. 1 to M–46. He should accompany these delivery orders with an explanatory letter telling the Petroleum Administration for Defense what he wants and why he wants it.

SEC. 10. *Current validity.* Allotment numbers for controlled material are not valid for deliveries from controlled material producers earlier than September 1951. Accordingly, the allotment number hereby made available should not be placed upon orders for controlled material, even though they be rated, which are to be fulfilled by controlled material producers prior to September. For material other than that to be obtained from controlled material producers, the allotment number, together with the DO rating, may be placed upon delivery orders for deliveries prior to September.

SEC. 11. *Effective time.* All outstanding delivery orders previously rated pursuant to NPA Order M–46, or specially rated for deliveries to operators in the petroleum and gas industries may be identified after the effective date of this supplement by the numbers and symbols authorized hereby, subject to the other provisions of the supplement.

NOTE: All reporting requirements of this supplement have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942 (5 U. S. C. 139–139 F).

This supplement shall take effect on June 29, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

[F. R. Doc. 51–7698; Filed, June 29, 1951; 4:43 p. m.]

[Amendment No. 1 to NPA Order M–62]

M–62—HORSEHIDES, HORSEHIDE PARTS, GOATSKINS, CABRETTAS, SHEEPSKINS, SHEARLINGS, AND KANGAROO SKINS

This amendment is found necessary and appropriate to promote the national defense, and is issued pursuant to the authority granted by section 101 of the Defense Production Act of 1950. In the formulation of this amendment consultation with industry representatives, including trade association representatives, has been rendered impracticable due to the necessity for immediate action.

This amendment affects NPA Order M–62 by amending section 1 to refer to the extended period of time, and by amending paragraph (a) of section 5 to extend to July 31, 1951, the processing period specified therein, and to increase the percentage to 300 percent for the established period.

NPA Order M–62 is hereby amended as follows:

(1) In the next to the last sentence of section 1 the date "June 30, 1951" is changed to "July 31, 1951."

(2) In the first sentence of paragraph (a) of section 5, the date "June 30, 1951" is changed to "July 31, 1951," and the percentage "200" is changed to "300."

(Sec. 704, Pub. Law 774, 81st Cong. Interpret or apply sec. 101, Pub. Law 774, 81st Cong.; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61)

This amendment shall take effect on June 29, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

[F. R. Doc. 51–7701; Filed, June 29, 1951; 4:44 p. m.]

[NPA Order M–73]

M–73—MAINTENANCE, REPAIR, AND OPERATING SUPPLIES FOR RAIL TRANSPORTATION SYSTEMS

This order is found necessary and appropriate to promote the national defense and is issued pursuant to the authority granted by section 101 of the Defense Production Act of 1950. In the formulation of this order, there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

SEC.

AUTHORITY: Sections 1 to 12 issued under sec. 704, Pub. Law 774, 81st Cong. Interpret or apply sec. 101, Pub Law 774, 81st Cong.; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

SECTION 1. *What this order does.* This order provides a uniform procedure under which rail transportation systems may obtain their requirements for maintenance, repair, and operating supplies, and minor capital additions, to the extent provided in quotas of controlled materials and products or materials other than controlled materials issued quarterly by the National Production Authority after a review of such requirements as reported to the National Production Authority on Form NPAF–105.

SEC. 2. *Definitions.* For purposes of this order:

(a) "Rail transportation system" means a domestic common carrier rail-

road, a terminal railroad, a switching railroad, a private car line company, a rapid transit system (including a subway and elevated railroad), and a street railway system (including a trolley coach system).

(b) "Operator" means any person to the extent that he is engaged in the business of transporting passengers or property over a rail transportation system.

(c) "Person" means any individual, corporation, partnership, association, or any other organized group of persons, and includes any agency of the United States or any other government.

(d) "Maintenance" means the minimum upkeep necessary to continue any plant, facility, or equipment in sound working condition, and "repair" means the restoration of any plant, facility, or equipment to sound working condition when it has been rendered unsafe or unfit for service by wear and tear, damage, failure of parts, or the like. "Maintenance" and "repair" include the replacement of any equipment (other than motive power and rolling stock) regardless of its accounting classification, but neither "maintenance" nor "repair" includes additions to plant or improvement of any plant, facility, or equipment by replacing materials or products which are in sound working condition. In routine maintenance, repair, and operations, the application of a superior part or a part of superior quality shall not be considered a capital addition, although under established accounting practices such application results in a charge to a capital account.

(e) "Operating supplies" means controlled materials and products or materials other than controlled materials used or consumed in the course of operations of a rail transportation system, except in maintenance, repair, and capital additions. Neither the term "operating supplies" nor any other provision of this order includes or applies to any item contained in List A of NPA Reg. 2.

(f) "MRO" means maintenance, repair, and operating supplies, as defined in this section, but does not include minor capital additions.

(g) "Minor capital additions" means any improvement or addition where the total cost of materials or products required does not exceed $750 for any one complete capital addition. The term "one complete capital addition" includes all items entering into the improvement or addition as part of a single project or plan whether or not installed or completed at the same time, and the cost of all such items is to be included in figuring the total cost of the addition. No capital addition shall be subdivided for the purpose of bringing it or any part of it within the foregoing definitions.

(h) "Controlled materials" means steel, copper, and aluminum, in the forms and shapes indicated in Schedule I of CMP Regulation No. 1.

(i) "Authorized controlled material order" means any delivery order for any controlled material (as distinct from a product containing controlled material) which is placed pursuant to a quota of controlled materials as provided in this order.

(j) "Delivery order" means any purchase order, contract, shipping, or other instruction, calling for delivery of any material or product on a particular date or dates or within specified periods of time.

(k) "NPA" means National Production Authority.

SEC. 3. *Applications for quotas*—(a) *Quotas of controlled materials.* (1) An operator of a rail transportation system may file an application with NPA on Form NPAF–'05 for a quarterly quota of such controlled materials as he may require for MRO and minor capital additions. Form NPAF–105 shall contain the applicant's total quarterly requirements for such materials, in the manner prescribed therein, and shall be filed with NPA 60 days prior to the beginning of the calendar quarter in which delivery is required, but for purposes of the third calendar quarter of 1951, where time will not permit filing in this manner, an application shall be filed not later than July 5, 1951.

(2) Where NPA has approved an application wholly or in part, the quota issued to the applicant by NPA will specify the quantities of controlled materials with respect to which he may place authorized controlled material orders for delivery during the calendar quarter in which the quota is valid.

(3) After July 15, 1951, no operator of a rail transportation system shall order, with or without the use of the allotment symbol assigned in section 4 of this order, controlled materials for MRO or minor capital additions in the absence of the issuance by NPA of a quota covering such materials, except that NPA may from time to time issue advance quotas of controlled materials.

(4) No orders for controlled materials shall be placed by an operator of a rail transportation system pursuant to NPA Reg. 4, after July 15, 1951, except as provided in section 7 of this order. Where controlled materials have been ordered prior to the effective date of this order for delivery after June 30, 1951, with or without the use of a DO rating, an operator of a rail transportation system shall include them in the requirements reported on Form NPAF–105 for the calendar quarter in which delivery is scheduled to take place. Upon receipt of a quota of controlled materials issued pursuant to this order, any such delivery order may be converted into an authorized controlled material order in the manner provided in section 4 of CMP Regulation No. 3.

(5) A delivery order for controlled materials calling for delivery after June 30, 1951, which has been converted into an authorized controlled material order, shall be scheduled for delivery on the original delivery date, unless the operator who placed such order agrees to a different delivery date.

(b) *Quotas of products or materials other than controlled materials.* (1) An operator of a rail transportation system may also include on Form NPAF–105 the products or materials other than controlled materials which he requires each calendar quarter for MRO and minor capital additions. Such requirements shall be stated on the Form NPAF–105 used to report his quarterly requirements for controlled materials as provided in subparagraph (1) of paragraph (a) of this section and shall be filed in the manner therein specified.

(2) After July 15, 1951, no operator of a rail transportation system shall order, with or without the use of the rating assigned in section 4 of this order, products or materials other than controlled materials for MRO or minor capital additions in the absence of the issuance by NPA of a quota covering such products or materials, except that NPA may from time to time issue advance quotas of products or materials other than controlled materials.

(3) No delivery orders for products or materials other than controlled materials shall be placed by an operator of a rail transportation system pursuant to NPA Reg. 4 after July 15, 1951, except as provided in section 7 of this order. Products or materials other than controlled materials ordered for MRO or minor capital additions prior to the effective date of this order for delivery after June 30, 1951, with or without the use of a rating, shall be included in the requirements reported on Form NPAF–transportation system is authorized un-105 for the calendar quarter in which delivery is scheduled to take place. Upon receipt of a quota of products or materials other than controlled materials issued by NPA pursuant to this order, any delivery order so placed may be converted into a delivery order bearing the DO rating assigned in this order in the manner provided in section 5 of CMP Regulation No. 3, subject to the limitations specified in paragraph (c) of section 4 of this order.

(4) A delivery order for products or materials other than controlled materials calling for delivery after June 30, 1951, which has been converted into a delivery order bearing the DO rating assigned in this order, shall be scheduled for delivery on the original delivery date, unless the operator who placed such order agrees to a different delivery date.

SEC. 4. *Delivery orders*—(a) *Authorized controlled material orders.* Each operator of a rail transportation system who receives a quota of controlled materials pursuant to this order may place delivery orders for controlled materials not exceeding the quantities specified in the quota. He shall place on each such order, or on a separate piece of paper attached thereto, the allotment symbol "U–3," together with the abbreviated designation of the calendar quarter and year for which the quota is valid, such as "U–3–3Q51." Each delivery order shall bear the following certification: "Certified under NPA Order M–73." Such an order shall constitute an authorized controlled material order within the meaning of CMP regulations issued by NPA when signed as provided in section 8 of NPA Reg. 2. The certification shall serve as a representation to the supplier and to NPA that the operator of the rail transportation system is authorized under the provisions of this order to obtain the controlled materials covered by the authorized controlled material order.

(b) *Orders for products or materials other than controlled materials.* Each operator of a rail transportation system who receives a quota covering products

or materials other than controlled materials shall place on each delivery order therefor the rating "DO–U3" together with the words "Certified under NPA Order M–73." Such certification shall be signed as provided in section 8 of NPA Reg. 2. This certification shall constitute a representation to the supplier and to NPA that the operator of the transportation system is authorized under the provisions of this order to obtain the products or materials other than controlled materials covered by the delivery order.

(c) *Limitation on use of allotment symbol and rating.* Neither the allotment symbol assigned in paragraph (a) of this section nor the rating assigned in paragraph (b) of this section shall be applied or extended to obtain any item listed in either Table I or II of NPA Reg. 4 or Table I or II of CMP Regulation No. 5, when issued, except that an operator of a rail transportation system may obtain such items in any calendar quarter without the use of such symbol or rating to the extent provided in a quota issued by NPA pursuant to this order for purposes of that calendar quarter: *Provided, however,* That the limitations of this paragraph do not apply to rails, tie plates, track spikes, splice, rail joints, frogs, and switches.

SEC. 5. *Effect on U. S. Freight Car Program.* (a) For purposes of the fourth calendar quarter of 1951, and subsequent calendar quarters, every operator of a rail transportation system who has participated in the U. S. Freight Car Program shall include his requirements of controlled materials and products or materials other than controlled materials for the maintenance and repair of freight cars in Form NPAF–105 as provided in section 3 of this order. Requirements for maintenance and repair of freight cars already reported and authorized under the U. S. Freight Car Program for the third calendar quarter of 1951 shall be resubmitted on a separate copy of Form NPAF–105, and shall not be included in the MRO requirements reported in accordance with section 3 of this order for that quarter. Materials or products required for the construction of new freight cars shall not be so reported, however, and to this extent the U. S. Freight Car Program remains unaffected by the provisions of this order.

(b) An operator of a transportation system who has participated in the U. S. Freight Car Program is not required by this section to rerate or cancel delivery orders bearing the DO–38 rating which were placed pursuant to an authorization issued by NPA, regardless of their delivery dates, but he may convert such orders in accordance with the provisions of paragraphs (a) or (b) of section 4 of this order, whichever paragraph is applicable. After receipt from NPA of a quota of controlled materials and products or materials other than controlled materials, no operator of a rail transportation system shall apply the DO–38P rating to obtain products or materials for MRO purposes.

SEC. 6. *Exceptions due to emergency conditions.* An operator of a rail transportation system may at any time use the allotment symbol or the allotment symbol and rating assigned in section 4 of this order, whichever is applicable, to order for delivery controlled materials and products or materials other than controlled materials necessary for the maintenance or repair of property or equipment damaged or destroyed by extraordinary cause, such as explosion, fire, sabotage, acts of the public enemy, flood, storm, or similar emergency condition: *Provided, however,* That if an operator of a rail transportation system exceeds a quota issued by NPA for any quarter by virtue of placing a delivery order for any such purpose, the quantities of controlled materials or the amounts of products or materials other than controlled materials so ordered shall be reported to NPA within 10 calendar days on Form NPAF–105, which shall be accompanied by a statement of the reasons therefor.

SEC. 7. *Transportation systems whose requirements are less than $25,000 per quarter.* An operator of a rail transportation system whose aggregate requirements for MRO and minor capital additions for any calendar quarter are not in excess of $25,000 shall be subject to NPA Reg. 4, unless he elects to operate under the provisions of this order. In the event that an operator makes such an election, he shall so notify NPA in writing within 30 calendar days of the effective date of this order, in which case he shall be subject to the provisions of this order. In the absence of an election within the time prescribed, he shall comply with the provisions of NPA Reg. 4 for all purposes.

SEC. 8. *Inventory limitations.* Nothing in this order shall be deemed to authorize an operator of a rail transportation system to order or receive any controlled materials or products or materials other than controlled materials if acceptance thereof would increase his inventory above a practicable working minimum as provided in CMP Regulation No. 2 or NPA Reg. 1, whichever is applicable, or the limit fixed in any other applicable order or regulation of NPA, whichever is less. This does not prevent an operator from maintaining minimum stocks of controlled materials and products or materials other than controlled materials for emergency use or from acquiring reasonable stocks of printed matter or ties and lumber for seasoning in accordance with the provisions of this order. In addition, an operator may resell products or materials:

(a) To any other operator;

(b) To another person when such products or materials are to be physically incorporated in repairs of equipment which is used in the maintenance, repair, or operations of the operator's own property: *Provided, however,* That such products or materials could have been used by the operator in making his own repairs without violation of any of the provisions of this order;

(c) To the operator's own rail transportation system subsidiaries, or for the maintenance of track or equipment not owned but customarily maintained by the operator or his subsidiaries.

SEC. 9. *Applications for adjustment or exception.* An operator of any rail transportation system affected by any provision of this order may file with NPA a request for adjustment or exception on the ground that the controlled materials or products or materials other than controlled materials included in a quota for use in any quarter are insufficient, than a specified provision otherwise works an undue or exceptional hardship upon such a rail transportation system not suffered generally by similar systems, or that its enforcement against such a system would not be in the interest of national defense or in the public interest. If the relief sought is an increase in a quota for any calendar quarter, the request shall contain the following information:

(a) Statement of the quota with respect to which the adjustment or exception is requested.

(b) Statement of the additional controlled materials or products or materials other than controlled materials requested to be included in the quota.

(c) Detailed statement of necessity for larger quota.

(d) Statement of services rendered, such as ton-miles and passenger-miles, commencing with the first calendar quarter of 1950.

(e) Any additional information which may be pertinent to proper evaluation of the application.

SEC. 10. *Records and reports.* (a) Each person participating in any transaction covered by this order shall retain in his files, for at least 2 years, records of receipts, deliveries, inventories, and use, in sufficient detail to permit an audit that determines for each transaction that the provisions of this order have been met. This does not specify any particular accounting method, nor does it require alteration of the system of records customarily maintained, provided the system provides an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals.

(b) All records required by this order shall be made available at the usual place of business where maintained for inspection and audit by duly authorized representatives of NPA.

(c) Persons subject to this order shall make such records and submit such reports to NPA as it shall require, subject to the terms of the Federal Reports Act of 1942 (5 U. S. C. 139–139F).

SEC. 11. *Communications.* All communications concerning this order shall be addressed to the National Production Authority, Washington 25, D. C., Ref: M–73.

SEC. 12. *Violations.* Any person who wilfully violates any provision of this order or any other order or regulation of NPA or who wilfully conceals a material fact or furnishes false information in the course of operation under this order is guilty of a crime and, upon conviction, may be punished by fine or imprisonment or both. In addition, administrative action may be taken against such person to suspend his privilege of making or receiving further deliveries of materials or using facilities under priority

or allocation control and to deprive him of further priorities assistance.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall take effect on June 28, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

[F. R. Doc. 51-7705; Filed, June 29, 1951; 4:46 p. m.]

[NPA Order M-25 as Amended July 1, 1951]

M-25—CANS

This order as amended is found necessary and appropriate to promote the national defense and is issued pursuant to authority granted by section 101 of the Defense Production Act of 1950. In the formulation of this order and certain amendments hereto, including this amendment, there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations. However, consultation with representatives of all trades and industries affected by the issuance of this order as amended has been rendered impracticable by the fact that the amendment to this order affects a very substantial number of different trades and industries.

This amendment affects NPA Order M-25 as follows: It establishes quotas and limitations on cans made wholly of black plate; it establishes new quotas of cans which may be accepted and used by packers; it amends certain manufacturing and delivery preferences for cans and establishes certain new preferences; it further limits products which may be packed in cans by amending Schedule I; and it makes provision for the third quarter of 1951 and succeeding quarters. This order as hereby amended includes all provisions affecting cans (as herein defined) except Direction 1 to NPA Order M-25, as amended May 1, 1951.

As so amended NPA Order M-25 reads as follows:

Sec.
1. What this order does.
2. Definitions.
3. Restrictions on use of cans.
4. Other restrictions.
5. Restrictions on amount of cans that may be accepted.
6. Restrictions on amount of cans that may be used for packing.
7. Standards for adjustments.
8. Manufacturing and delivery preferences.
9. Exceptions.
10. Certification of delivery of cans.
11. Applications for adjustment or exception.
12. Records and reports.
13. Communications.
14. Violations.

AUTHORITY: Sections 1 to 14 issued under sec. 704, Pub. Law 774, 81st Cong. Interpret or apply sec. 101, Pub. Law 774, 81st Cong.; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

SECTION 1. *What this order does.* This order places restrictions upon the acceptance of, the delivery of, and the uses of cans. Schedule I sets out required plate specifications which vary according to the products packed. NPA Order M-24 permits the use of tin plate and terneplate for cans in accordance with the terms of this order. NPA Order M-8 sets forth specifications for solder that may be used in the manufacture of cans.

SEC. 2. *Definitions.* As used in this order:

(a) "Can" means any unused container made in whole or in part of tin plate, terneplate, or black plate, which is suitable for packing any product. The term includes any container which has a closure or fitting, made in whole or in part of tin plate, terneplate, or black plate, but does not include a glass container having such a closure or fitting. The term does not include fluid milk shipping containers, nor does it include crown closures for cone-topped cans.

(b) "Tin plate" means steel sheets coated with tin, and includes "primes," "seconds," and all other forms of tin plate, except waste and waste-waste.

(c) "Terneplate" means steel sheets coated with terne metal, and includes "primes" and "seconds." The term does not include terneplate, waste-waste, or terneplate waste. "Terne metal" means the lead-tin alloy used as the coating for terneplate, but does not include lead recovered from secondary sources which contains less than 1.5 percent residual tin.

(d) "SCMT" means special coated manufacturers' terneplate.

(e) "Waste" means scrap tin plate and terneplate (including strips and circles) produced in the ordinary course of manufacturing cans, and tin plate and terneplate strips produced in the ordinary course of manufacturing tin plate and terneplate. The term also includes tin plate and terneplate parts recovered from used cans.

(f) "Waste-waste" means hot-dipped or electrolytic tin-coated steel sheets or steel sheets coated with terne metal which have been rejected during processing by the producer because of imperfections which disqualify such sheets from sale as primes or seconds.

(g) "Black plate" means steel sheets (other than tin plate or terneplate) 29-gage (128 pounds) or lighter. The term includes can manufacturing quality black plate (CMQ), "black plate rejects," chemically treated black plate (CTB), waste-waste, and waste.

(h) "Packer" means any person who either (1) purchases empty cans and fills such cans in packing any product or (2) purchases empty cans and has them filled for his account by another party, but who controls sale and distribution of the finished product after packing.

(i) "Person" means any individual, corporation, partnership, association, or any other organized group of persons, and includes any agency of the United States or any other government.

SEC. 3. *Restrictions on use of cans.* Subject to the exceptions set forth in section 9 of this order, no packer shall purchase, accept delivery of, or use cans for any purpose other than for packing, in accordance with the can specifications and quota limitations set out in Schedule I appearing at the end of this order, a product listed in Schedule I.

SEC. 4. *Other restrictions.* No person shall manufacture, sell, or deliver cans which he knows or has reason to believe will be accepted or used in violation of the terms of this order or any other order or regulation of the National Production Authority (hereinafter called "NPA"). No person shall sell or deliver cans which he knows or has reason to believe will be exported outside of the continental limits of the United States, its territories and possessions (unless such export is to Canada), except as permitted under paragraph (h) of section 9 of this order.

SEC. 5. *Restrictions on amount of cans that may be accepted.* No person shall accept delivery of any cans at a time when his inventory thereof exceeds, or by acceptance of such delivery would be made to exceed, a practicable minimum working inventory (as defined in § 10.4 of NPA Reg. 1) of cans required by him for packing products listed in Schedule I of this order in accordance with the quota and material limitations set forth in Schedule I.

SEC. 6. *Restrictions on amount of cans that may be used for packing.* (a) This order, by previous amendments, required a packer, commencing with the second quarter of 1951, to choose as his base year either the calendar year 1949 or the calendar year 1950. Such requirement continues to apply to all packers. Any packer who has so chosen his base year for computing his permissible can quotas for a calendar quarter, and any packer who has not heretofore chosen but hereafter chooses a base year for such purpose, must predicate all computations required by paragraph (b) of this section, for the third calendar quarter of 1951 and succeeding quarters, on his base year so chosen.

(b) Commencing with the third calendar quarter of the year 1951 and each succeeding calendar quarter thereafter, until otherwise ordered by NPA, no packer may use cans for packing any particular product listed in Schedule I of this order in excess of an amount of cans determined by applying the percentage listed in Column (3) of Schedule I opposite a particular product to the amount of cans which he used for packing that particular product during the corresponding quarter of his selected base year. "The amount of cans," as the phrase is used in the preceding sentence and elsewhere in this order when applied to the corresponding quarter of his base year, means the total area of tin plate, terneplate, and black plate used in the manufacture of such cans. Where the word "unlimited" appears in Column (3) of Schedule I opposite a particular product, a packer may use the specified cans in an unlimited quantity to pack that particular product, subject to the inventory restriction contained in section 5 of this order. If a packer used less than the limited amount of cans permitted for packing a particular product during the first or second quarters of 1951, he may use the unused amount for packing that particular product at any time during the balance of the cal-

endar year 1951. If a packer uses less than the limited amount of cans permitted for packing a particular product during the third calendar quarter of 1951, he may use the unused amount for packing that particular product during the balance of the calendar year 1951. No packer may assign, transfer, or surrender, to or for the benefit of any other person, his permissible can quota for any calendar quarter or any part or parts of such quota.

(c) In certain instances Column (3) of Schedule I of this order authorizes one quota if a particultar product is packed in cans of larger size or sizes and a different quota if such product is packed in cans of smaller size or sizes. In such instances, the packer's base period usage for packing that product in cans of larger size or sizes determines his permitted base for packing such product in such larger size or sizes during the third quarter of 1951 and thereafter, and his base-period usage for packing such product in cans of smaller size or sizes determines his permitted base for packing such product in such smaller size or sizes during the third quarter of 1951 and thereafter. In any such instance, a packer, for packing such product, may increase his permitted base of cans of a larger size or sizes by that area of tin plate, terneplate, and black plate by which he decreases his permitted base of cans of a smaller size or sizes for packing such product, but he may not increase his permitted base of cans of a smaller size or sizes for packing such product by decreasing the area of tin plate, terneplate, and black plate used by him for cans of a larger size or sizes for packing such product.

SEC. 7. *Standards for adjustments.* In any case where the provisions of section 6 of this order may be subject to adjustment because of any of the reasons set forth in Direction 1 to NPA Order M-25, as amended May 1, 1951, or as from time to time hereafter amended, determinations of adjustments may be made by the packer in accordance with the standards and subject to the conditions stated in said Direction 1.

SEC. 8. *Manufacturing and delivery preferences.* (a) So far as practicable, every can manufacturer shall schedule his operations (including his ordering of tin plate, terneplate, and black plate) so as to permit delivery of cans in the quantities and at the times he reasonably anticipates will be required. Where he is unable to schedule all orders for cans for delivery at the times required, he shall schedule his operations and select the orders to be placed in his production schedule according to the following preferences:

(1) All DO rated orders and any other orders under NPA directives;

(2) Requirements for cans to pack products designated with the letter A in column (2) of Schedule I;

(3) Requirements for cans to pack products designated with the letter B in Column (2) of Schedule I.

(b) A can manufacturer must not fill orders for cans with preference B designations if by doing so he will make himself unable to meet deliveries which he reasonably anticipates will be required for cans with preference A designation. If, after filling all reasonably anticipated requirements for cans with preference A designations, a can manufacturer is unable to fill all his requirements for cans with preference B designations, he must equally distribute such shortage against all requirements for cans with preference B designations.

SEC. 9. *Exceptions.* (a) The can material specifications set out in Schedule I of this order do not apply to the use of any cans which were in the inventory of a packer or in the inventory of a can manufacturer or in process of manufacture on January 27, 1951, or to tin plate or terneplate which was either in process at a tin mill, or in the inventory of a tin mill for the account of a can manufacturer, or in the inventory of a can manufacturer on January 27, 1951. It is the intent of this section that any tin plate or terneplate intended for use in the manufacture of cans in inventory or in process on January 27, 1951, as aforesaid, shall be used notwithstanding the can material specifications of this order. However, the restrictions of section 6 of this order are not excepted by this paragraph.

(b) Any person who purchases cans for packing and not for resale and whose total use of cans for packing all products in any calendar year requires less than 250 base boxes of tin plate, terneplate, and black plate shall be exempt from the use limitations of section 6 of this order but not from the can material specifications of Schedule I. This exemption does not apply to any person who buys empty cans or parts thereof and sells such cans or parts thereof to a packer.

(c) The use limitations of section 6 of this order and the can material specifications in Schedule I do not apply to cans used to pack any product in home canning, community canning, or institutional (meaning such institutions as prisons, reform schools, and insane asylums) canning where the product is not to be sold. This exemption also applies to cans for packing laboratory samples and control samples, but not to cans for packing samples distributed for the purpose of advertising or for promoting the sale of a product, nor to any cans used for packing products which are later repacked and sold.

(d) Orders having a DO rating are exempt from the restrictions in sections 5 and 6 of this order on the amount of cans that may be accepted and used.

(e) The use of cans for packing any product which is required to be packed in cans, set aside and reserved for purchase by any authorized Government agency is exempt from the use limitations of this order, but not from the can material specifications in Schedule I: *Provided, however,* That if the can material specifications of Schedule I require that any product be packed in cans made in whole or in part of 0.25 tin plate, any No. 10 cans and any part or parts thereof, used for packing any such product or products which are so reserved and set aside, may be made of 0.50 tin plate.

(f) The can material specifications set out in Schedule I of this order shall not apply to orders having a DO rating requiring the packing of products in accordance with Military Specifications of the Department of Defense for use outside the 48 States of the United States and the District of Columbia by the Armed Forces of the United States, including the United States Coast Guard. The can material specifications set out in Schedule I shall apply, however, to all other orders having a DO rating.

(g) The restrictions of this order shall not apply to military requirements for cans of a special design or style not normally produced or used commercially, nor to cans for emergency rations and supplies for lifeboats.

(h) The provisions of this order shall not apply to the sale or delivery of cans where the person selling or delivering the same has received a validated export license therefor from the Office of International Trade, or has received from another person a certificate signed manually. This certificate shall be by letter in substantially the following form, the inapplicable words stricken therefrom, and shall be filed with each purchase order with the person selling or delivering to such other person cans for export:

To _____, Seller:

The undersigned purchaser certifies, subject to criminal penalties for misrepresentation, that (he has received a certification from another person that) the Office of International Trade has issued to (him) (such other person) validated export license No. _____ for export shipment of all of the items included in the attached purchase order, and that all purchases from you of items included in the said purchase order and the acceptance of the same will be in compliance with the said validated export license.

In cases of export to those countries where the Office of International Trade does not require an export license, no certificate shall be required until such time as an export license is required by the Office of International Trade.

SEC. 10. *Certification of delivery of cans.* No manufacturer, jobber, or distributor shall sell or deliver cans unless he has received from the purchaser a certificate signed manually. This certificate shall be by letter in substantially the following form and, once filed by a purchaser with a manufacturer, jobber, or distributor, covers all future deliveries of cans from the manufacturer, jobber, or distributor to that purchaser:

To _____, manufacturer, jobber, or distributor:

The undersigned purchaser certifies, subject to criminal penalties for misrepresentation, that he is familiar with Order M-25 of the National Production Authority, and that all purchases from you of items regulated by that order, and the acceptance and use of the same by the undersigned, will be in compliance with said order, and any amendments thereto.

SEC. 11. *Applications for adjustment or exception.* Any person affected by any provision of this order may file a request for adjustment or exception upon the ground that his business operation was commenced during or after the base period, that any provision otherwise works an undue or exceptional hardship upon him not suffered generally by others in the same trade or industry, or that its

enforcement against him would not be in the interest of the national defense or in the public interest. In examining requests for adjustment claiming that the public interest is prejudiced by the application of any provision of this order, consideration will be given to the requirements of the public health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program. Each request shall be in writing, submitted on Form NPAF–38 in triplicate, and shall set forth all pertinent facts and the nature of the relief sought, and shall state the justification therefor. Form NPAF–38 must be executed as therein required.

SEC. 12. *Records and reports.* (a) Each person participating in any transaction covered by this order shall retain in his possession for at least 2 years records of receipts, deliveries, inventories, and use, in sufficient detail to permit an audit that determines for each transaction that the provisions of this order have been met. This does not specify any particular accounting method and does not require alteration of the system of records customarily maintained, provided such records supply an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals.

(b) All records required by this order shall be made available at the usual place of business where maintained for inspection and audit by duly authorized representatives of NPA.

(c) Persons subject to this order shall make such records and submit such reports to NPA as it shall require, subject to the terms of the Federal Reports Act of 1942 (5 U. S. C. 139–139F).

SEC. 13. *Communications.* All communications concerning this order shall be addressed to the National Production Authority, Containers and Packaging Division, Washington 25, D. C., Ref: M–25.

SEC. 14. *Violations.* Any person who willfully violates any provision of this order or any other order or regulation of NPA or who wilfully conceals a material fact or furnishes false information in the course of operation under this order is guilty of a crime and, upon conviction, may be punished by fine or imprisonment or both. In addition, administrative action may be taken against any such person to suspend his privilege of making or receiving further deliveries of materials or using facilities under priority or allocation control and to deprive him of further priorities assistance.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Schedule I is hereto attached and made a part of this order.

This order as amended shall take effect on July 1, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

SCHEDULE I—CAN SPECIFICATIONS

Columns 4 and 5 specify the weight of tin-coating per base box of tin plate and terneplate which may be used for the parts of cans for the products listed in Column (1). Any packer may also use for packing a listed product black plate cans or cans with a tin-coating lighter than that specified for that product. Wherever 0.25 pound electrolytic tin plate is specified, SCMT may be used. Tin plate menders arising in the production of electrolytic tin plate may be used only where hot-dipped tin plate is permitted in this schedule. When only a figure is given in Columns (4) and (5), this means that tin plate may be used for the part, and the figure given indicates the maximum weight of tin-coating on each base box of plate. Electrolytic 0.25 pound tin plate may be used in place of black plate in that part of a can which, after filling, is required to be hermetically closed by soldering, or that part of a can to which a nozzle is required to be attached by soldering: *Provided, however,* That the total area of 0.25 pound electrolytic tin plate used in such parts is limited to not more than the total area of plate used in such parts for packing a particular product during the corresponding period of 1949 or 1950.

Product	Preference	Quota	Can materials	
			Soldered or welded parts	Non-soldered parts
(1)	(2)	(3)	(4)	(5)
Fruit and fruit products				
1. Apples, all types, quartered and sliced	A	Unlimited	1.25	0.50
2. Apple juices, all types, single strength	B	100 percent		
Enameled cans			1.50	1.50
Plain bodies			1.25	.50
3. Apple cider	B	70 percent		
Enameled cans			1.50	1.50
Plain bodies			1.25	.50
4. Apple sauce	A	Unlimited	1.25	.50
5. Apricots, whole or halves	A	Unlimited	1.25	.50
6. Bananas and banana pulp (except dehydrated)	B	75 percent	1.25	.50
7. Berries:				
Blueberries and huckleberries	A	Unlimited		
Enameled cans			1.50	1.50
Plain bodies			1.50	.50
Cranberries, whole or sauce	A	115 percent	1.50	1.50
Gooseberries	A	Unlimited	1.25	.50
All other berries	A	Unlimited	1.50	1.50
8. Cherries, dark sweet	A	Unlimited	1.50	1.50
9. Cherries, light sweet	A	Unlimited	1.25	.50
10. Cherries, Maraschino	B	75 percent	1.50	1.50
11. Cherries, red sour	A	Unlimited	1.50	1.50
12. Currents, including juice:				
No. 10 cans and larger	A	Unlimited		
Smaller than No. 10 cans	B	75 percent		
Enameled cans			1.50	1.50
Plain bodies			1.25	.50
13. Figs	A	Unlimited	1.25	.50
14. Fruitade base concentrates	A	Unlimited		
Frozen			.25	.25
Processed			1.50	1.50
15. Fruitades, ready to drink	B	70 percent		
Berryades			1.50	1.50
All others			1.25	1.25
16. Fruits, baked	B	75 percent		
Enameled cans			1.50	1.50
Plain bodies			1.50	.50
17. Fruit cocktail and mixed fruits			1.25	.50
Direct pack (excepting canned pineapple may be used)	A	Unlimited		
Repacked from metal cans where fruits other than canned pineapple is used.	B	75 percent		
18. Fruit butters:				
No. 10 cans and larger	B	100 percent		
Smaller than No. 10 cans	B	75 percent		
Apple butter				
Enameled cans			1.50	1.50
Plain bodies			1.50	.50
All other fruit butters			1.50	1.50
19. Fruit concentrate	A	Unlimited		
Apricots			1.50	.50
Other fruits			1.25	.50
20. Fruits, dehydrated or dried (except prunes)	B	100 percent		
5-gallon square cans			.50	.50
Other can sizes			.25	.25
21. Fruits, frozen, all varieties	A	Unlimited	.25	.25
22. Fruit jams, jellies, marmalades and preserves:				
No. 10 cans and larger	B	100 percent		
Smaller than No. 10 cans	B	75 percent		
Light color			1.25	.50
Dark color			1.50	1.50
23. Fruit juices, concentrate	A	Unlimited		
Frozen, all varieties and blends			.25	.25
Processed, grapefruit and grapefruit juice blends			1.25	1.25
All other fruit juice concentrates, processed			1.50	1.50
24. Fruit juices, single strength (except apple):				
Citrus, pineapples, and blends	A	Unlimited		
Processed			1.25	1.25
Frozen			.25	.25
Grape juice:				
5-gallon cans and larger	A	Unlimited	1.25	1.25
Smaller than 5-gallon	B	100 percent	1.25	1.25
Prune juice	B	100 percent	1.50	1.50
All other single strength fruit juices	B	100 percent	1.50	1.50
25. Fruit nectars:				
Direct pack	B	100 percent		
Repacked from metal cans	B	75 percent		
Light-colored fruits			1.25	.50
Dark-colored fruits			1.50	1.50
26. Fruit pulp and purees (except baby food)	A	100 percent	Same as nonpureed fruits	

Product	Preference	Quota	Can materials	
			Soldered or welded parts	Non-soldered parts
(1)	(2)	(3)	(4)	(5)
Fruit and fruit products—Continued				
27. Fruit salad	A	Unlimited	1.25	0.50
Direct pack (except canned apricots and canned pineapple may be used).	B	75 percent		
Repacked from metal cans, where fruits other than canned apricots and canned pineapple is used.	B	75 percent		
28. Fruits, spiced				
Crab apples:				
Enameled cans			1.50	1.50
Plain bodies			1.50	.50
All others			1.50	.50
29. Grapes, processed:				
Colored	B	70 percent	1.50	1.50
Thompson seedless			1.25	.50
No. 10 can and larger	B	100 percent		
Smaller than No. 10 cans	B	75 percent		
Spiced, Thompson seedless	B	70 percent	1.50	1.50
30. Grapefruit and orange segments	A	Unlimited	1.25	1.25
31. Grapefruit segments	A	Unlimited	1.25	1.25
32. Nectarines	A	Unlimited	1.25	.50
33. Olives, whole or chopped:				
Green ripe	A	Unlimited	1.25	1.25
Green	B	70 percent	1.50	1.50
Ripe	A	Unlimited		
Enameled cans			1.50	1.50
Plain bodies			1.50	.50
34. Orange segments	B	100 percent	1.25	1.25
35. Papayas and papaya products	B	100 percent	1.25	1.25
36. Peaches, whole, halves, quarters, sliced, and diced	A	Unlimited	1.25	.50
37. Pears, whole, halves, quarters, sliced, and diced	A	Unlimited	1.25	.50
38. Pectin, liquid	B	100 percent	1.50	1.50
39. Pie and pastry filler (fruit filling only):				
Direct pack (including frozen)	B	100 percent		
Repack from metal cans (one or more components)	B	75 percent		
Enameled cans			1.50	1.50
Plain bodies			1.25	.50
Other than fruit fillings	B	75 percent	.25	.25
40. Pineapple	A	Unlimited	1.25	1.25
41. Plums	A	Unlimited		
Light-colored			1.25	.50
Dark-colored			1.50	1.50
42. Prunes, dehydrated or dried	B	100 percent	1.25	.50
43. Prunes, dried in syrup	B	100 percent	1.50	1.50
44. Prunes, fresh in syrup	A	Unlimited	1.50	1.50
45. Quinces	B	70 percent	1.25	.50
Vegetable and vegetable products				
46. Asparagus	A	Unlimited	1.25	1.25
47. Beans, dry, soaked, all varieties	B	100 percent		
With sweetened sauce (Boston style)			.25	.25
With chili sauce			.50	.50
With plain sauce or brine			.25	.25
With tomato sauce			1.2	.25
48. Beans, fresh shelled	A	Unlimited	.25	.25
49. Beans, green and wax	A	Unlimited	1.25	.25
50. Beets	A	Unlimited	1.25	1.25
51. Beet juice	B	75 percent	1.25	1.25
52. Beets, pickled	B	75 percent	1.50	1.50
53. Broccoli	B	70 percent	1.25	.25
54. Brussel sprouts	B	70 percent	1.25	.25
55. Carrots	A	Unlimited	1.25	.25
56. Carrots and peas			1.25	.25
Direct pack	A	Unlimited		
Repack (either component from metal cans)	B	100 percent		
57. Carrot juice	B	75 percent	1.25	.25
58. Cauliflower	B	70 percent	1.25	.25
59. Celery	B	75 percent	1.25	.25
60. Celery juice	B	75 percent	1.25	1.25
61. Corn, cream style and whole grain	A	Unlimited	.25	.25
62. Green leafy vegetables	A	Unlimited		
Leafy or chopped			1.25	.25
Pureed			1.25	1.25
63. Lentils, dried, soaked	B	100 percent	.25	.25
64. Mushrooms	A	Unlimited		
Whole, sliced, stems and pieces			1.25	.25
Broiled in butter			.25	.25
65. Okra, with and without tomatoes	A	Unlimited	1.25	.25
66. Onions	B	75 percent	1.25	1.25
67. Peas, all varieties, dry soaked	B	100 percent	.25	.25
68. Peas, fresh	A	Unlimited	.25	.25
69. Peppers and pimientos	A	Unlimited	1.25	.25
70. Pickles, pickled relishes, and chow-chow			1.50	1.50
No. 10 cans or larger	B	100 percent		
Smaller than No. 10	B	75 percent		
71. Potato salad	B	75 percent	1.25	1.25
72. Potatoes, sweet	A	Unlimited	1.25	.25
73. Potatoes, white	B	75 percent	1.25	.25
74. Pumpkin and squash	A	Unlimited	1.25	1.25
75. Rhubarb	B	75 percent	1.50	1.50
76. Rutabagas	B	75 percent	1.25	.25
77. Sauerkraut	A	Unlimited	1.50	1.50
78. Sauerkraut juice and blends	B	100 percent	1.50	1.50
79. Succotash			.25	.25
Direct pack	A	Unlimited		
Repack (one or more components from metal cans)	B	75 percent		
80. Tomatoes	A	Unlimited	1.25	.25

Product	Preference	Quota	Can materials	
			Soldered or welded parts	Non-soldered parts
(1)	(2)	(3)	(4)	(5)
Vegetable and vegetable product.—Continued				
81. Tomato products (from fresh tomatoes)	A	Unlimited		
Tomato catsup, chili sauce, and cocktail sauce:				
Enameled cans			1.25	1.25
Plain bodies			1.25	.25
Tomato juice, aspic, cocktail and juice blends, containing 70 percent or more tomato juice:				
Enameled cans			1.25	1.25
Plain bodies			1.25	.25
Tomato juice concentrate, frozen:				
5-gallon square cans			.50	.50
Other can sizes			.25	.25
Tomato sauce (including spaghetti), paste, pulp, and puree.			1.25	.25
Tomato products (repacked from metal cans):				
Tomato aspic	B	75 percent	1.25	.25
Catsup, chili sauce, and cocktail sauce	B	100 percent		
Enameled cans			1.25	1.25
Plain bodies			1.25	.25
Tomato sauce (including spaghetti), paste, pulp, and puree.	B	100 percent	1.25	.25
82. Turnips	B	75 percent	1.25	.25
83. Vegetables, dehydrated	A	Unlimited		
5-gallon square cans			.50	CMQ
Other can sizes			CMQ	CMQ
84. Vegetables, frozen	A	Unlimited		
30-pound and larger			.25	.25
Smaller than 30-pound			.25	.25
Metal ends only				.25
85. Vegetables, mixed:				
Containing 70 percent or more vegetables which are not limited to less than 100 percent quota.			1.25	.25
Direct pack from all fresh vegetables	A	Unlimited		
Repack (one or more components from metal cans)	B	100 percent		
All other mixtures	B	70 percent		
Fish and shellfish				
86. Abalone	B	70 percent	.25	.25
87. Alewives	A	Unlimited	.25	.25
88. Caviar	B	70 percent	.25	.25
89. Chowder, all varieties	B	100 percent		
Inside enameled cans			.25	.25
Plain body cans			1.25	.25
90. Clam juice			.25	.25
1-gallon and larger cans	B	100 percent		
Other sizes	B	70 percent		
91. Clams, processed	B	100 percent	.25	.25
92. Codfish, salted, dry	B	70 percent	.25	.25
93. Crab and crabmeat			.25	.25
Deviled	B	100 percent		
Processed	A	Unlimited		
94. Crawfish	B	100 percent	.25	.25
95. Eels	B	70 percent	.25	.25
96. Finnan haddie	B	100 percent		
Round cans			.25	.25
Drawn cans			.50	.50
97. Fish and seafood, frozen or refrigerated	B	100 percent	.25	.25
98. Fishballs and cakes	B	100 percent	.25	.25
99. Fish flakes and ground fish for human consumption only, excluding tuna flakes.	B	100 percent	.25	.25
100. Fish frankfurters	B	100 percent	.25	.25
101. Fish livers	B	100 percent		
In reusable 5-gallon square cans			1.25	1.25
In nonreusable 5-gallon square cans and smaller size cans			.50	.50
102. Fish oil	B	100 percent	.50	.50
103. Fish paste	B	100 percent	.25	.25
104. Fish, pickled	B	70 percent	1.50	1.50
105. Fish roe	A	Unlimited		
In round double-seamed cans			.25	.25
In oval drawn cans			.50	.50
106. Halibut	B	70 percent	.25	.25
107. Herring, in oil or brine (including sardines, pilchards, mackerel, and anchovies) (1.25 tinplate may be used for scored covers).	A	Unlimited		
Round cans			.25	.25
¼ drawn cans			.25	.25
¾ 3-piece cans			.50	.50
Oval or oblong drawn (other than ¼ drawn)			.50	.50
108. Herring in tomato or mustard sauce (including sardines, pilchards, mackerel, and anchovies in oval, round, oblong, or drawn cans) (1.25 tin plate may be used for scored covers).	A	Unlimited	.50	.50
109. Lobster, processed or Newberg	B	100 percent	.25	.25
110. Menhaden	B	100 percent	.25	.25
111. Mullet	B	100 percent	.25	.25
112. Mussels, processed	B	100 percent	.25	.25
113. Oysters, processed	B	100 percent	.25	.25
114. Salmon	A	Unlimited		
In round double-seamed cans			1.25	.25
In oval or drawn cans			.50	.50
115. Scallops, processed	B	100 percent	.25	.25
116. Shad	A	Unlimited		
In round double-seamed cans			.25	.25
In oval or drawn cans			.50	.50
117. Shrimp, processed	A	Unlimited	.25	.25
118. Squid	B	100 percent		
Enameled cans			.25	.25
Plain bodies			1.25	.25
119. Tuna, including tuna flakes	A	Unlimited	.25	.25
120. Turtle	B	100 percent	.25	.25

Product	Preference	Quota	Can materials	
			Soldered or welded parts	Non-soldered parts
(1)	(2)	(3)	(4)	(5)
Dairy products				
121. Butter and butter substitutes	B	100 percent	0.25	0.25
122. Buttermilk, dry	B	90 percent	CMQ	CMQ
123. Butter oil	B	100 percent		
5-gallon square cans			.50	.50
Other cans			.25	.25
124. Cheese, cottage, grated, or processed	B	100 percent		
Reusable containers			1.25	1.25
Single trip containers			.25	.25
125. Chocolate and other flavored milk liquids	B	100 percent	.25	.25
126. Cream	A	Unlimited		
Fresh, frozen, or dry:				
5-gallon square cans			.50	.50
Other can sizes			.25	.25
Sterilized			.25	.25
127. Goat milk	A	Unlimited	.25	.25
128. Ice cream:				
All metal cans	B	70 percent	.25	.25
Fiber body with metal trim	A	Unlimited		.25
129. Ice cream mix:				
Wet	B	100 percent	.25	.25
Dry	B	100 percent	CMQ	CMQ
130. Malted and other milk formulations, dry	B	100 percent	CMQ	CMQ
131. Milk, dry, non-fat solids:				
5-gallon and 50-pound cans	A	Unlimited	.50	.50
Sizes smaller than 5-gallon	B	70 percent	CMQ	*.25
132. Milk, dry, whole, including milk sugar and dietary dried milk base products.	A	Unlimited		
5-gallon and 50-pound cans			.50	.50
Sizes smaller than 5-gallon			.25	.25
Plate specifications through July 31, 1951.				
133. Milk, fresh, frozen, refrigerated, or processed	A	Unlimited		
5-gallon square cans			.50	.50
Other sizes			.25	.25
134. Milk, liquid, condensed, sweetened	A	Unlimited	.75	.75
135. Milk, liquid, evaporated, and modifications of evaporated milk.	A	Unlimited		
14½-ounce or larger:				
Body			1.25	
Ends			.75	.75
Under 14½-ounce			.75	.75
Poultry and poultry products				
136. Chicken and noodles	B	70 percent	.25	.25
137. Chicken fricassee	B	110 percent	.25	.25
138. Chicken or turkey a la king	B	100 percent	.25	.25
139. Chicken or turkey, boned	B	110 percent	.25	.25
140. Chicken or turkey spread	B	70 percent	.25	.25
141. Chicken or turkey, whole, half, or disjointed	B	110 percent	.25	.25
142. Eggs:				
Frozen	A	Unlimited	.25	.25
Dry, powdered—for export only	B	100 percent		
5-gallon square cans			.50	CMQ
Other can sizes			.25	CMQ
Meat (beef, veal, mutton, or pork)				
143. Bacon—export only	B	70 percent		
All seams soldered			1.25	1.25
Side seams only soldered			.25	.25
144. Barbecued meat	B	110 percent		
Enameled cans			.50	.50
Plain body			1.25	1.25
145. Beef and other gravies	B	75 percent	.25	.25
146. Beef, dried	B	75 percent	.25	.25
147. Beef, veal— mutton, or pork (boiled, broiled, braised, corned, roasted).	A	Unlimited		
All seams soldered			1.25	1.25
Side seams only soldered			.25	.25
148. Brains	B	100 percent	.25	.25
149. Chili con carne	B	120 percent	.50	.50
150. Frankfurters in brine	B	100 percent	.25	.25
151. Frankfurters with barbecue sauce	B	100 percent	1.25	1.25
152. Frankfurters with beans and tomato sauce	B	100 percent	1.25	.25
153. Frankfurters with sauerkraut	B	100 percent	1.50	1.50
154. Ham, deviled	B	110 percent	1.25	1.25
155. Ham, spiced or chopped (including luncheon meat)	A	Unlimited	1.25	.25
156. Hams, whole, halves, quarters, sections, and pork loins, boned and smoked.	A	Unlimited		
Round can—side seam only soldered			1.25	.25
Oblong cans, 3-pounds and larger			1.25	.25
All seams soldered			1.25	1.25
157. Hamburger with or without onions	B	100 percent	.25	.25
158. Hash, meat (including corned beef hash)	B	110 percent	.25	.25
159. Meat and beans with tomato sauce	B	100 percent	1.25	.25
160. Meat and gravy (including goulash)	B	120 percent	.25	.25
161. Meat balls	B	100 percent	.25	.25
162. Meat in vinegar	B	70 percent	1.50	1.50
163. Meat loaf	B	110 percent	.25	.25
164. Meat, refrigerated (including fancy meats and/or edible organs).	B	110 percent	.25	.25
165. Meat spreads, with or without liver	B	100 percent	.25	.25
166. Potted meat	A	Unlimited	.25	.25

* One end only.

Product	Preference	Quota	Can materials	
			Soldered or welded parts	Non-soldered parts
(1)	(2)	(3)	(4)	(5)
Meat (beef, veal, mutton, or pork)—Continued				
167. Sausage (including bulk, casings, in oil, pork or vienna)	B	120 percent	0.25	0.25
168. Scrapple	B	75 percent	.25	.25
169. Spareribs and sauerkraut	B	100 percent	1.50	1.50
170. Stew, meat type (including beef, kidney and brunswick)	B	120 percent	.50	.50
171. Tamales	B	100 percent	.50	.50
172. Tongue	B	100 percent	.25	.25
173. Tripe	B	75 percent	1.25	1.25
Horsemeat				
174. Horsemeat, with or without gravy and/or vegetables, Federally inspected (for human consumption only).	B	75 percent	.25	.25
Miscellaneous food products				
175. Aerosols for food	B	90 percent	.50	.50
176. Almond and poppy seed paste	B	75 percent	.25	.25
177. Animal and pet food	B	70 percent	.25	.25
178. Baby food	A	Unlimited		
Fruit			1.50	1.50
Vegetables			1.25	1.25
Meat			.50	.50
Fish			.50	.50
Dry, powdered, carbohydrate			CQM	CQM
Milk base, dry			.25	.25
Vegetable with meat			1.25	1.25
Cereal, pudding and custards with fruits			1.50	1.50
Cereal, pudding and custards without fruits			.50	.50
179. Baking mixes, dry	B	90 percent	CMQ	CMQ
180. Baking powder	B	100 percent	CMQ	CMQ
181. Bakery products, steamed in hermetically sealed cans	B	75 percent		
Pasteurized, over 15 percent moisture content			.25	.25
Less than 15 percent moisture content			.25	CMQ
182. Barbecue sauce	B	75 percent	1.25	.25
183. Beer and ale	B	70 percent	.25	.25
184. Bouillon cubes	B	90 percent	CMQ	CMQ
185. Candied fruit	B	70 percent	.50	.50
186. Candy and confectionery	B	90 percent	CMQ	CMQ
187. Cereals and flour	B	90 percent	CMQ	CMQ
188. Chicken broth	B	75 percent	.50	.50
189. Chinese food specialties	B	75 percent	1.25	.25
Bamboo shoots.				
Bean sprouts.				
Mixed Chinese vegetables.				
Chop suey vegetables.				
Chow mein.				
Chop suey.				
Water chestnuts.				
Egg foo yong.				
190. Chocolate and cocoa	B	100 percent	CMQ	CMQ
191. Chocolate pudding, dry	B	90 percent	CMQ	CMQ
192. Chocolate syrup	B	100 percent	.25	.25
193. Citrus peel, moist (5-gallon cans only)	B	100 percent	1.25	1.25
194. Coconut products:				
Containing more than 15 percent moisture	B	75 percent	.50	.50
Containing 15 percent or less moisture	B	90 percent	CMQ	CMQ
195. Coffee, dry	B	100 percent		
10-pound and larger cans			.50	CMQ
5-pound and smaller cans			CMQ	CMQ
196. Coffee, liquid concentrate, frozen	B	75 percent	.25	.25
197. Coffee, soluble	B	90 percent	CMQ	CMQ
198. Coffee, substitutes, dry	B	100 percent	CMQ	CMQ
199. Corn meal mush	B	75 percent	.25	.25
200. Dessert powder	B	90 percent	CMQ	CMQ
201. Dietary foods, special formula	B	100 percent		
Dry			CMQ	CMQ
Wet			.50	.50
202. Dry food specialties, including but not limited to the following:			CMQ	CMQ
Popped corn.				
Pop corn.				
Peanuts and other edible nut meats.				
Potato chips.				
Macaroni.				
Noodles.				
Pretzels:				
3-pound and larger reusable containers	B	100 percent		
Smaller than 3-pound cans	B	90 percent		
203. Enchiladas	B	100 percent	.25	.25
204. Food colors, certified	B	100 percent		
5-gallon square cans			.50	.50
1-pound and 5-pound cans			CMQ	CMQ
205. Food stabilizers	B	90 percent	CMQ	CMQ
206. Fountain fruits and syrups:				
Fruit and other acid syrups			1.25	1.25
Toppings, non-acid in character			.25	.25
Carbonated beverages, base syrups			1.50	1.50
No. 10 cans and larger	B	100 percent		
Smaller than No. 10 cans	B	75 percent		
207. Gelatin desserts, other than powder	B	75 percent	1.25	.25
208. Hominy, processed, wet	B	100 percent	.25	.25
209. Honey:				
All seams soldered			1.25	1.25
Side seams only soldered			.25	.25
5-pound and larger cans	A	Unlimited		
Smaller than 5-pound	B	75 percent		
210. Lard	B	100 percent		
Containers over 8 pounds			.50	.50
Containers 8 pounds and under			CMQ	CMQ
211. Macaroni, noodles and spaghetti, wet pack	B	100 percent	1.25	.25

Product	Preference	Quota	Can materials	
			Soldered or welded parts	Non-soldered parts
(1)	(2)	(3)	(4)	(5)
Miscellaneous food products—Continued				
212. Mayonnaise (including salad dressing and other related products):				
3-gallon cans and larger	B	100 percent	1.50	1.50
All other sizes	B	70 percent	1.50	1.50
213. Mincemeat	B	100 percent	1.50	1.50
No. 10 cans	B	75 percent		
Smaller than No. 10	B			
214. Mushroom sauce (from fresh mushrooms)	B	75 percent	1.25	.25
215. Oils, edible:				
5-gallon square cans	B	100 percent	.50	.50
No. 10, 1-gallon cans and up to 5-gallon cans	B	100 percent	.25	.25
All other sizes	B	75 percent	.25	.25
216. Onions, french fried	B	75 percent	.25	CMQ
217. Peanut and other edible nut butters	B	100 percent	.25	CMQ
218. Potatoes, french fried, shoestring, sticks	B	90 percent	CMQ	CMQ
219. Puddings, fruit, including spiced pudding	B	75 percent	1.25	1.25
220. Ravioli	B	100 percent	1.25	.25
221. Rice, Spanish (including rice dinner)	B	75 percent	1.25	.25
222. Sauces, including cream, Newberg, and enchilada	B	75 percent	.25	.25
223. Shortening	B	100 percent	CMQ	CMQ
Only where can manufacturer is unable to supply satisfactory containers made wholly of black plate: through Sept. 30, 1951.			.25	CMQ
224. Soups, dehydrated	B	100 percent		
5-gallon square cans only			.50	CMQ
225. Soups, liquid:				
Seasonal from fresh vegetables only	A	Unlimited		
Tomato, vegetarian vegetable			1.25	.25
All other seasonal			.50	.50
Nonseasonal	B	100 percent		
Black bean, bean with bacon and beef			1.25	.25
Chicken with noodles or rice			.50	.50
All other nonseasonal			.75	.50
226. Soy bean milk (liquid, or dry powdered)	A	Unlimited	.25	.25
227. Spices and condiments:	B	100 percent		
Prepared			1.50	1.50
Dry			CMQ	CMQ
Dredges and sifter tops				.50
228. Steak sauce with mushrooms (from fresh mushrooms)	B	75 percent	1.25	.25
229. Syrups (includes the following syrups and blends: cane, corn, molasses, malt, maple, and sorghum):				
All seams soldered (No. 10 cans and larger)	B	100 percent	1.25	1.25
All seams soldered (smaller than No. 10 cans)	B	75 percent	1.25	1.25
Double-seamed oblong (1-gallon and larger)	B	100 percent	1.25	.25
Double-seamed oblong (smaller than 1-gallon)	B	75 percent	1.25	.25
Double-seamed round (No. 10 can and larger)	B	100 percent	.25	.25
Double-seamed round (smaller than No. 10 cans)	B	75 percent	.25	.25
Irregular shaped	B	75 percent	.25	.25
230. Spaghetti with meat balls	B	100 percent	1.25	.25
231. Tea, dry	B	90 percent	CMQ	CMQ
232. Tortillas	B	100 percent	.25	.25
233. Welsh rarebit	B	75 percent	.25	.25
234. Yeast, dry, edible	B	100 percent	CMQ	CMQ
Nonactive	B	100 percent		
Active	B	90 percent		
235. All other nonprocessed foods	B	90 percent	CMQ	CMQ
236. All other processed foods	B	70 percent	.25	.25
Nonfood products				
237. Aerosols for nonfood	Same as specified for product involved			
238. Abrasives, grinding, and buffing compounds, not to be packed dry.	B	100 percent	.25	CMQ
239. Acid, nitro-hydrochloric (outer container)	B	90 percent	CMQ	CMQ
240. Aircraft supplies for aircraft use only	B	90 percent		
Hydraulic oil			1.25	1.25
Hydraulic preservative oil			1.25	1.25
Compass fluid			.25	.25
Grease, low temperature			.25	.25
Antisieze compound for oxygen system			.25	.25
241. Aniline	B	90 percent	1.25	1.25
242. Antifreeze (all types)	B	100 percent	.25	.25
243. Antiphlogistine	B	90 percent	1.25	1.25
244. Artists and school supplies (including water color boxes, trays, pans, cups, chalk and crayon boxes, and all other).	B	90 percent	CMQ	CMQ
245. Asphalt, pitch, and tar	B	90 percent	CMQ	CMQ
246. Auto supplies:				
Liquid radiator antirust compounds	B	90 percent	.50	.50
Radiator stop leaks	B	90 percent	.50	.50
Hydraulic brake fluid	B	90 percent	.25	.25
Shock absorber fluid	B	90 percent	.25	.25
Tire preserver	B	75 percent	.25	.25
Top dressing paste and liquid	B	75 percent	.25	.25
Carbon removers	B	90 percent	.25	.25
Gasoline additives	B	90 percent	.25	.25
All others	B	90 percent	CMQ	CMQ
247. Bee feeder cans	B	90 percent	.25	.25
248. Belt dressing	B	90 percent	CMQ	CMQ
249. Benzol, toluene, naphtha, xylene, gasoline, and kerosene	B	90 percent	.25	.25
250. Blood plasma (outer container)	A	Unlimited	.25	.25
251. Cements:				
Water base linoleum	B	90 percent	1.25	1.25
Rubber, latex type	B	90 percent	1.25	1.25
Rubber, neoprene	B	90 percent	1.25	1.25
Solvent base linoleum	B	90 percent	.25	.25
Rubber base liquid and paste	B	75 percent	.25	.25
All others	B	90 percent	CMQ	CMQ

Product	Preference	Quota	Can materials	
			Soldered or welded parts	Non-soldered parts
(1)	(2)	(3)	(4)	(5)
Nonfood products—Continued				
252. Chemicals, dry:				
Phenols	B	90 percent	1.50	1.50
Phosphorus	B	90 percent	1.25	1.25
Ammonium salts	B	90 percent	1.25	1.25
Hypoclorite powders	B	90 percent	.25	.25
Permanganates	B	90 percent	.25	.25
Sodium and potassium metals	B	90 percent	.25	CMQ
Vanadium, catalyst	A	100 percent	.25	.25
All others	B	90 percent	CMQ	CMQ
Cyanides	B	100 percent	1.25	1.25
253. Chemicals, liquid:				
Alcohols, CP and USP	A	100 percent	1.25	1.25
Chloroform and either USP and ether absolute ACS	A	100 percent	1.25	1.25
Aldehydes and halogenated hydrocarbons	B	90 percent	.25	.25
Carbon disulfide	B	90 percent	.25	.25
Carbon tetrachloride	B	90 percent	.25	.25
			or SCMT	
Ketones, ethers, glycols	B	90 percent	.25	.25
Sodium silicate	B	90 percent	.25	.25
Alcohol, industrial	B	90 percent	.25	.25
254. Cleaners:				
Window spray	B	70 percent	1.25	1.25
Wall paper	B	70 percent	1.25	1.25
			or 8-lb. terne	
Radiator, liquid	B	75 percent	.50	.50
Cleaners, liquid or paste	B	75 percent	.25	.25
Cleaning fluids, solvent type	B	75 percent	.25	.25
All others, dry or powder	B	90 percent	CMQ	CMQ
Cleaning and scouring powders, metal ends only	B	100 percent	----------	CMQ
255. Compounds:				
Boiler, liquid	B	90 percent	.50	.50
Caulking or sealing	B	90 percent	.25	CMQ
Soldering or welding	B	90 percent	.25	CMQ
All others	B	90 percent	CMQ	CMQ
256. Cosmetic and toiletry supplies:				
Brushless shaving cream	B	70 percent	.75	.75
Hair dressings and pomades	B	70 percent	.50	.50
Cold creams, lotions and hair wave preparations	B	70 percent	.25	.25
Hair wave pads	B	70 percent	.25	CMQ
All others, including personal and other powders	B	90 percent	CMQ	CMQ
257. Dental supplies	B	90 percent	----------	----------
Tooth powder, ammoniated	------	----------	.25	.25
All other	------	----------	CMQ	CMQ
258. Disinfectants and deodorizers:				
Household	B	75 percent	----------	----------
Industrial	B	100 percent	----------	----------
Creosote	------	----------	.25	.25
Fumigants	------	----------	.50	.50
Liquid formulations	------	----------	.50	.50
Pine oil	------	----------	.25	.25
259. Drugs:				
Ointment and salves	B	90 percent	.50	.50
Distilled water (outer container)	A	Unlimited	.25	.25
Ampoules	B	90 percent	.25	.25
Dry products	B	90 percent	CMQ	CMQ
260. Dyes:				
Pastes and liquids	B	90 percent	.50	.50
Dry	B	90 percent	.25	CMQ
261. Essential oils	B	90 percent	1.25	1.25
262. Exterminators, paste and powders	B	75 percent	.25	.25
263. Film boxes	B	90 percent	.50	.50
264. First aid cabinets and kits	B	90 percent	CMQ	CMQ
265. Glues and adhesives:				
Paste and liquid	B	75 percent	1.25	1.25
Dry	B	90 percent	CMQ	CMQ
266. Glycerine:				
CP and USP	A	100 percent	1.25	1.25
Industrial	B	90 percent	.50	.50
267. Grain fumigant	B	90 percent	.50	.50
268. Graphite:				
In oil	B	90 percent	.25	CMQ
Dry	B	90 percent	CMQ	CMQ
269. Inks	B	90 percent	----------	----------
Spirit aniline	------	----------	.50	.50
Rotogravure	------	----------	.50	.50
Printing and duplicating	------	----------	.25	.25
270. Insecticides:				
Household	B	75 percent	----------	----------
Industrial	B	90 percent	----------	----------
Nicotine sulphate	------	----------	1.50	1.50
Water base	------	----------	1.25	1.25
Emulsifiable concentrate	------	----------	1.25	1.25
Oil base	------	----------	.25	CMQ
Dry, household or industrial	B	90 percent	CMQ	CMQ
271. Leather dressing and saddle soap	B	90 percent	.50	.50
272. Lighter fluid	B	75 percent	.25	CMQ
273. Lubricating grease	B	90 percent	CMQ	CMQ
274. Lye, toilet bowl and drain cleaners	B	90 percent	CMQ	CMQ
275. Maleic Anhydride	B	90 percent	.50	.50
276. Oils (industrial):				
Animal or fish or vegetable	B	100 percent	----------	----------
5-gallon square can	------	----------	.50	.50
All other sizes	------	----------	.25	.25
Transformer	B	90 percent	.50	.50
Soluble and cutting	B	90 percent	----------	----------
Water base	------	----------	.25	.25
Oil base	------	----------	.25	CMQ
Lubricating and motor:				
5-gallon cans and larger than 5-quart	B	100 percent	SCMT	SCMT
1-quart and 5-quart round	B	90 percent	CMQ	CMQ
All other sizes	B	90 percent	.25	.25

Product	Preference	Quota	Can materials	
			Soldered or welded parts	Non-soldered parts
(1)	(2)	(3)	(4)	(5)
Nonfood products—Continued				
277. Paint products	B	90 percent	or SCMT	
Antifouling paints			1.50 or 12-lb. terne	1.50
Water-base paints, including:				
Latex			.25 or SCMT	
Oil-base paints			CMQ	CMQ
Lacquers and thinners			.50	.50
Shellac			8-lb. terne	
Paint and varnish removers			.50	.50
Varnishes and oil stains			.25	CMQ
Shingle stains			.25	.25
Asphalt paints			CMQ	CMQ
Marine paints (ship storage)			.25	.25
Dry pigments, bronze powders			CMQ	CMQ
278. Plaster of paris	B	90 percent	CMQ	CMQ
279. Polishes and waxes:				
Water-base	B	75 percent	.50	.50
Solvent-base	B	75 percent	.25	CMQ
Shoe liquid	B	75 percent	8-lb. terne	
Shoe paste	B	90 percent	CMQ	CMQ
280. Putty	B	80 percent	.25	CMQ
281. Recreational supplies:				
Vacuum or pressure packages	B	70 percent	.25	CMQ
All other	B	90 percent	CMQ	CMQ
282. Seeds	B	90 percent	CMQ	CMQ
283. Seed inoculants, and seed disinfectants	B	90 percent	.50	.50
284. Snuff:				
All-metal cans	B	75 percent	.50	.50
Fiber body, metal tops only	B	75 percent		.50
285. Soap and detergents:				
Liquid	B	75 percent	1.25	1.25
Paste	B	75 percent	.25	.25
Powders	B	90 percent	CMQ	CMQ
286. Stock and poultry food:				
Containing 15 percent or more moisture	B	75 percent	.25	.25
Containing less than 15 percent moisture	B	90 percent	CMQ	CMQ
287. Stock, pet and poultry remedies:	B	100 percent		
Liquids: worm killer, sheep and cattle dip, sheep and horse drench:				
For internal use			1.25	1.25
For external use			.25	.25
Roose paint			1.25	1.25
Dry products			CMQ	CMQ
288. Surgical dressings and hospital supplies, bandages, adhesive tape, mustard plasters, etc.	B	90 percent	CMQ	CMQ
289. Tobacco:				
Cigars and cigarettes	B	70 percent	.25	CMQ
Pipe:				
7-ounce or larger	B	90 percent	CMQ	CMQ
2-ounce and less	B	100 percent	CMQ	CMQ
290. Turpentine	B	90 percent	.50	.50
291. Wood fillers	B	80 percent	.25	CMQ
292. Miscellaneous items:				
Bottle seal cap solution	B	70 percent	1.25	1.25
Brush keepers	B	70 percent	.25	CMQ
Cremation boxes	B	90 percent	.25	.25
Explosives	B	90 percent	.25	.25
Plastic wood	B	80 percent	1.25	1.25
Weed killers	B	75 percent	.50	.50
293. All other nonfood products	B	90 percent	CMQ	CMQ

[F. R. Doc. 51-7703; Filed, June 29, 1951; 4:46 p. m.]

[NPA Order M-66 as Amended June 30, 1951]

M-66—Artificial Graphite and Carbon Electrodes

This order is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950. In the formulation of this order as amended there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

This amendment affects NPA Order M-66 by amending paragraph (a) of section 5 and adding new paragraphs (d) and (e) to section 5.

NPA Order M-66 as amended reads as follows:

Sec.

Authority: Sections 1 to 12 issued under sec. 704, Pub. Law 774, 81st Cong. Interpret or apply sec. 101, Pub. Law 774, 81st Cong.; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

Section 1. *What this order does.* The purpose of this order is to conserve and provide for the distribution of the limited supply of artificial graphite products and carbon electrodes so as best to serve the interests of national defense and essential civilian production. This order establishes limits on inventory and brings artificial graphite and carbon electrodes under allocation by prohibiting, subject to a limited exception, any deliveries or acceptance of deliveries not covered by allocation authorizations to be issued quarterly by the National Production Authority. Provision is thus made whereby the supply remaining after defense requirements are met may be equitably distributed through normal channels for essential civilian uses and with due regard for the needs of new and small businesses.

Sec. 2. *Application of this order.* This order applies to the delivery and receipt of artificial graphite and of carbon electrodes in the electrothermic, electrolytic, and special metallurgical and chemical fields.

Sec. 3. *Relation to other regulations.* The provisions of this order supersede all NPA regulations and orders to the extent that they are inconsistent herewith, but in all other respects such regulations and orders remain applicable to artificial graphite and carbon electrodes. The National Production Authority may from time to time issues special directives as to deliveries of artificial graphite and carbon electrodes and, unless otherwise provided therein, such directives will prevail over the provisions of this order.

Sec. 4. *Definitions.* For purposes of this order:

(a) "Person" means any individual, corporation, partnership, association, or any other organized group of persons, and includes agencies of the United States or any other government. In the case of any person as herein defined who operates more than one plant at different locations, the word "person" shall mean each such separate operation.

(b) "Artificial graphite" means: (1) Solid graphite electrodes, plain or threaded, for use in electric arc or resistor furnaces; (2) solid graphite anodes, plain, machined, or treated, for use in electrolytic cells; and (3) solid graphite shapes (round, square, or rectangular), unmachined and not otherwise processed by the producer, for use in metallurgical, chemical, or electronic applications.

(c) "Carbon electrodes" means that product produced in a baking furnace from a mixture of calcined anthracite coal and pitch or other suitable binders and includes graphite nipples.

Sec. 5. *Restrictions on delivery or use.* (a) On and after August 1, 1951, no person shall deliver or accept delivery of any artifiicial graphite or of any carbon electrodes, whether on rated or unrated orders, except in accordance with the terms of an allocation authorization issued by the National Production Authority on Form NPAF-97.

(b) Application for an allocation authorization must be filed with the National Production Authority by the purchaser on Form NPAF-97 not later than the 10th day of the month preceding the calendar quarter in which delivery is sought. Such application shall be in quadruplicate and must furnish all information required by the form.

(c) An authorization allocation (Form NPAF-97) will be sent by the

National Production Authority to the appropriate supplier(s) specifying the amount authorized to be delivered to the applicant during the quarter period and the applicant will be notified of the issuance thereof. The authorization will permit the supplier to make delivery to the extent of the purchaser's orders within the limit of the authorization. In placing his orders the purchaser shall specify the date and the serial number of the applicable allocation authorization.

(d) The amount of any allocation authorization issued by the National Production Authority for the third calendar quarter of 1951 shall be reduced by the amounts actually shipped to the applicant prior to the receipt by the supplier of the allocation authorization.

(e) Notwithstanding the provisions of section 5 of CMP Regulation No. 3, rated orders for artificial graphite and carbon electrodes calling for delivery in July 1951 shall have the same status as DO rated orders with an allotment number or symbol calling for delivery of such material in July 1951.

SEC. 6. *Exceptions from allocation requirements.* The provisions of section 5 of this order shall not apply to:

(a) Deliveries of graphite electrodes of less than 1-inch cross section.

(b) Deliveries of artificial graphite or of carbon electrodes to any person whose total receipts of artificial graphite and carbon electrodes from all sources during the current quarter are not thereby made to exceed 500 pounds and who so certifies to his supplier in substantially the following words on his order:

The undersigned certifies to the supplier and to the National Production Authority that receipt of the material hereby ordered in the quarter requested will not bring his total receipts of artificial graphite and carbon electrodes during that quarter above 500 pounds.

SEC. 7. *Inventory limitations*—(a) *Artificial graphite anodes.* No person, notwithstanding any allocation made to him, shall accept delivery of artificial graphite anodes, at a time when his inventory of such products exceeds, or by acceptance of such delivery would be made to exceed, 20 weeks' minimum requirements at his then scheduled rate and method of operation.

(b) *Other artificial graphite and carbon electrodes.* No person shall accept delivery of any artificial graphite other than anodes or of any carbon electrodes, whether or not an allocation has been made to him at a time when his inventory of such material exceeds, or by acceptance of such delivery would be made to exceed, 4 weeks' minimum requirements at his then scheduled rate and method of operation: *Provided, however,* That a pool car buyer located west of the Mississippi River shall not accept delivery of such materials at a time when his inventory thereof exceeds, or by acceptance of such delivery would be made to exceed, 8 weeks' minimum requirements at his then scheduled rate and method of operation.

SEC. 8. *Reports.* (a) Subject to the exceptions contained in section 6 of this order, every person who produces, ships, owns, or consumes any artificial graphite or any carbon electrodes during any calendar month commencing with May 1951 shall report to the National Production Authority on Form NPAF-97 on or before the 10th day of the following month. However, if any such person applies on such form for an allocation of artificial graphite products or carbon electrodes for delivery during the succeeding quarter, his application will also serve as the report required by this section for the preceding month.

(b) Persons subject to this order shall make such records and submit such reports to the National Production Authority as it shall require subject to the provisions of the Federal Reports Act of 1942 (5 U. S. C. 139–139F.)

NOTE: All record-keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act.

SEC. 9. *Audit and inspection.* All records required by this order shall be made available at the usual place of business where maintained for inspection and audit by duly authorized representatives of the NPA.

SEC. 10. *Applications for adjustment or exception.* Any person affected by any provision of this order may file a request for adjustment or exception upon the ground that any provision works an undue or exceptional hardship upon him not suffered generally by others in the same trade or industry or that its enforcement against him would not be in the interest of the national defense or in the public interest. In examining requests for adjustment claiming that the public interest is prejudiced by the application of any provision of this order, consideration will be given to the requirements of the public health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program. Each request shall be in writing and shall set forth all pertinent facts and the nature of the relief sought, and shall state the justification therefor.

SEC. 11. *Communications.* All communications concerning this order shall be addressed to the National Production Authority, Washington 25, D. C., Ref: M-66.

SEC. 12. *Violations.* Any person who wilfully violates any provision of this order or any other order or regulation of the National Production Authority or who wilfully conceals a material fact or furnishes false information in the course of operation under this order is guilty of a crime and, upon conviction, may be punished by fine or imprisonment or both. In addition, administrative action may be taken against any such person to suspend his privilege of making or receiving further deliveries of materials or using facilities under priority or allocation control and to deprive him of further priorities assistance.

This order as amended shall take effect on June 30, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

[F. R. Doc. 51-7702; Filed, June 29, 1951; 4:45 p. m.]

Chapter XVII—Housing and Home Finance Agency

[CR 3, Appendix 1]

CR 3—RELAXATION OF RESIDENTIAL CREDIT CONTROLS: REGULATION GOVERNING PROCESSING AND APPROVAL OF EXCEPTIONS AND TERMS FOR CRITICAL DEFENSE HOUSING AREAS

APP. 1—CRITICAL DEFENSE HOUSING AREAS

Appendix 1 to CR 3, Relaxation of Residential Credit Controls: Regulation Governing Processing and Approval of Exceptions and Terms for Critical Defense Housing Areas, originally issued at 16 F. R. 3838 (May 2, 1951) and last amended at 16 F. R. 6314 (June 29, 1951), is hereby further amended to read as follows:

APPENDIX 1 TO CR 3 (AS AMENDED)—CRITICAL DEFENSE HOUSING AREAS [1]

Critical defense housing area	State	Date designated
1. San Diego	California	May 2, 1951
2. Corona	do	May 8, 1951
3. Colorado Springs	Colorado	Do.
4. Star Lake	New York	May 23, 1951
5. Fort Leonard Wood Area.	Missouri	Do.
6. Camp Cooke Area	California	June 8, 1951
7. Bremerton	Washington	Do.
8. San Marcos	Texas	Do.
9. Valdosta	Georgia	June 20, 1951
10. Tullahoma	Tennessee	Do.
11. Camp Pendleton Area.	California	Do.
12. Solano County	do	June 29, 1951
13. Quad Cities Area [2]	Iowa-Illinois	Do.
14. Hanford AEC Operations Area.	Washington	July 3, 1951
15. Barstow	California	Do.
16. Camp Roberts Area	do	Do.
17. Brazoria County	Texas	Do.
18. Tooele	Utah	Do.

[1] These areas are in addition to three areas of Atomic Energy Commission installations in which exceptions from residential credit restrictions are issued pursuant to CR 2 of the Housing and Home Finance Agency.

[2] Area of Davenport, Iowa; and Moline, East Moline; and Rock Island, Ill.

RAYMOND M. FOLEY,
Housing and Home Finance Administrator.

[F. R. Doc. 51-7606; Filed, July 2, 1951; 8:50 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 4—DEPENDENTS AND BENEFICIARIES CLAIMS

DEATH COMPENSATION, PENSION AND BURIAL ALLOWANCE

A new § 4.454 is added to read as follows:

§ 4.454 *Death compensation, pension and burial allowance based on service*

rendered on or after June 27, 1950. For the purpose of effectuating the provisions of Public Law 28, 82d Congress (act of May 11, 1951), the following instructions are issued.

(a) *Cases affected.* The act authorizes the payment of certain death benefits based on service rendered on or after June 27, 1950, and prior to such future date as may be determined by Presidential proclamation or by concurrent resolution of the Congress. This includes the payment of death compensation under the rating criteria and at the rates provided by Part I, Veterans Regulation 1 (a), as amended (38 U. S. C. ch. 12); and, in those cases where death occurred after separation from service, the payment of death pension under the provisions of Public Law 312, 78th Congress, as amended, and the statutory burial allowance. In determining entitlement, the provisions of existing laws and regulations which are applicable in claims based on World War II service are for application.

(b) *Effective date.* Compensation and pension which is authorized solely by virtue of this act shall be payable from the day following the date of the veteran's death provided claim is filed within 1 year from that date, otherwise from the date of filing claim, but in no event prior to May 11, 1951. A claim pending on May 11, 1951, will be considered a claim under this act.

(c) *Current awards.* In awards of death compensation approved on and after May 11, 1951, the rates provided under Part I, Veterans Regulation 1 (a), as amended, will be applied for periods on and after May 11, 1951. In awards of death pension which are otherwise payable for periods on and after May 11, 1951, the rates provided under the act of June 28, 1934, as amended, will be applied.

(d) *Rating considerations.* Effective May 11, 1951, all rating criteria applicable to Part I, Veterans Regulation 1 (a), as amended, will be applicable to active service rendered on or after June 27, 1950, during the period contemplated by Public Law 28, 82d Congress. By virtue of Public Law 28, the provisions of section 4, Public Law 312, 78th Congress, as amended, are applicable effective May 11, 1951, to active service on or after June 27, 1950, and in determinations as to existence of disability at death under the latter law, the provisions of § 4.178 are controlling.

(e) *Burial allowance.* Under the act the statutory burial allowance provided by Veterans Regulation 9 (a), as amended, may be payable based on service of any person who served on or after June 27, 1950, and who dies or has died after separation from such service under conditions other than dishonorable. In reviewing XC-folders under this section, consideration will be given to the possibility of entitlement to the statutory burial allowance in those cases where the veteran died after separation from service. If no award of burial allowance has been authorized and there is no legal bar, VA Form 8–530 will be forwarded to prospective claimants by use of Form Letter 8–3. In those cases where death occurred prior to May 11, 1951, the time limit for filing claim is not extended. (Instruction 2, Public Law 28, 82d Congress)

(Sec. 5, 43 Stat. 608, as amended, sec. 2, 46 Stat. 1016, sec. 7, 48 Stat. 9; 38 U. S. C. 11a, 426, 707)

This regulation is effective July 3, 1951.

[SEAL] O. W. CLARK,
Deputy Administrator.

[F. R. Doc. 51–7594; Filed, July 2, 1951; 8:50 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR Part 51]

SHELLED WHITE SPANISH PEANUTS U. S. STANDARDS

Notice is hereby given that the United States Department of Agriculture is considering the issuance of United States Standards for Shelled White Spanish Peanuts under the authority contained in the Department of Agriculture Appropriation Act, 1951 (Pub. Law 759, 81st Cong., approved Sept. 6, 1950) and the Agricultural Marketing Act of 1946 (60 Stat. 1087; 7 U. S. C. 1621, et seq.) to supersede United States Standards for Shelled White Spanish Peanuts issued August 15, 1939. The standards are proposed to become effective during September 1951.

All persons who desire to submit written data, views or arguments for consideration in connection with the proposed standards should file the same with M. W. Baker, Deputy Director, Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, South Building, Washington 25, D. C., not later than 5:30 p. m., e. s. t., on the thirtieth (30) day after the publication of this notice in the FEDERAL REGISTER.

The proposed standards are as follows:

§ 51.319 *Standards for shelled white Spanish peanuts* — (a) *Grades* — (1) *U. S. No. 1.* U. S. No. 1 consists of shelled white Spanish peanuts which are whole and free from small shriveled, noticeably discolored, damaged or unshelled peanuts, and are free from foreign material.

(i) In order to allow for variation incident to proper grading and handling, the following tolerances, by weight, shall be permitted in this grade:

(*a*) 1 percent for other varieties of peanuts;

(*b*) 2 percent for split or broken kernals;

(*c*) 2 percent for small shriveled kernels;

(*d*) 1 percent for damaged or unshelled kernels;

(*e*) 1 percent additional for kernels which are damaged by spotted flesh, but are not otherwise damaged;

(*f*) 1.25 percent for kernels with noticeably discolored skins, including not more than 0.25 percent (twenty-five one-hundredths) for kernels with badly discolored skins; and,

(*g*) 0.1 percent (one-tenth) for foreign material.

(2) *U. S. No. 2.* U. S. No. 2 consists of shelled white Spanish peanuts which may be split or broken, but which will not pass through a screen having 19/64 inch round perforations, and which are free from damaged or unshelled peanuts, and foreign material.

(i) In order to allow for variations incident to proper grading and handling, the following tolerances, by weight, shall be permitted in this grade:

(*a*) 1 percent for other varieties of peanuts;

(*b*) 6 percent for peanuts or pieces of peanuts which pass through a screen having 15/64 inch round openings;

(*c*) 2.5 percent for damaged or unshelled kernels; and,

(*d*) 0.25 percent (twenty-five one-hundredths) for foreign material.

(b) *Definitions.* (1) "Small shriveled" means peanuts which are distinctly shriveled and which will pass through a screen having 15/64 inch by 3/4 inch perforations.

(2) "Foreign material" means sticks, stones, dirt, shells, portions of vines or any material other than peanut kernels.

(3) "Split peanuts" means the separated halves of peanut kernels.

(4) "Unshelled" peanuts are kernels from which the shell has not been removed.

(5) "Damaged peanuts" means:

(i) Peanuts which are rancid or decayed;

(ii) Moldy peanuts;

(iii) Peanuts showing sprouts extending more than 1/8 inch from the tip of the kernel;

(iv) Dirty peanuts when the surface is distinctly dirty;

(v) Worm or insect injured peanuts when the insect or frass is present on the kernel or the insect has eaten a distinctly noticeable depression into the kernel;

(vi) Peanuts showing a dark yellow, brownish or darker surface discoloration of one-fourth or more of the kernel under the skin;

(vii) Peanuts showing yellow or brown discolored spots penetrating the kernel when the appearance of the flesh is materially affected; and,

(viii) Any defect which materially affects the edible quality of the kernel.

(6) "Noticeably discolored" means peanuts with more than 25 percent of the skin affected by dark brown, dark gray or dark blue discoloration, or lesser areas covered by darker discoloration having an equally objectionable appearance. Peanuts with a naturally pink, red or purple skin color or with an over-all skin color somewhat darker than kernels in the lot, shall not be classed as noticeably discolored.

(7) "Badly discolored" means peanuts with more than 50 percent of the skin affected by black or very dark discoloration of a blue, gray or brown color.

Done at Washington, D. C., this 27th day of June 1951.

[SEAL] F. R. BURKE,
Acting Assistant Administrator, Production and Marketing Administration.

[F. R. Doc. 51-7588; Filed, July 2, 1951; 8:48 a. m.]

[7 CFR Part 52]

GRADES OF FROZEN DICED CARROTS

U. S. STANDARDS [1]

Notice is hereby given that the United States Department of Agriculture is considering the issuance, as herein proposed, of United States Standards for Grades of Frozen Diced Carrots, pursuant to the authority contained in the Agricultural Marketing Act of 1946 (60 Stat. 1087; 7 U. S. C. 1621, et seq.) and the Department of Agriculture Appropriation Act, 1951 (Pub. Law 759, 81st Cong., approved September 6, 1950). These standards, if made effective, will be the first issued by the Department of Grade Standards for this product.

All persons who desire to submit written data, views, or arguments for consideration in connection with the proposed standards should file the same, in duplicate, with the Chief, Processed Products Standardization and Inspection Division, Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C., not later than 30 days after publication hereof in the FEDERAL REGISTER.

The proposed standards are as follows:

§ 52.218 *Frozen diced carrots.* Frozen diced carrots is the product prepared from the root of the carrot plant (Daucus carota) by washing, sorting, peeling, trimming, and blanching, and is then frozen and maintained at temperatures necessary for the preservation of the product.

(a) *Style of frozen diced carrots.* "Diced carrots" means frozen carrots consisting of units produced by cutting whole carrots into cubes having edges, other than the rounded outer edges, measuring approximately ½ inch or less.

(b) *Grades of frozen diced carrots.* (1) "U. S. Grade A" or "U. S. Fancy" is the quality of frozen diced carrots that possess a good flavor and odor; that possess a good color; that are practically free from defects; that are tender; and that are of such quality with respect to size and shape as to score not less than 85 points when scored in accordance with the scoring system outlined in this section.

(2) "U. S. Grade B" or "U. S. Extra Standard" is the quality of frozen diced carrots that possess a reasonably good flavor and odor; that possess a reasonably good color; that are reasonably free from defects; that are reasonably tender; that are reasonably uniform in size and shape; and that score not less than 70 points when scored in accordance with the scoring system outlined in this section.

(3) "Substandard" is the quality of frozen diced carrots that fails to meet the requirements of U. S. Grade B or U. S. Extra Standard.

(c) *Ascertaining the grade.* (1) The grade of frozen diced carrots may be ascertained by considering, in conjunction with the requirements of the respective grade, the respective ratings for the factors of color, uniformity of size and shape, absence of defects, and texture.

(2) The relative importance of each factor which is scored is expressed numerically on the scale of 100. The maximum number of points that may be given each such factor is:

Factors:	Points
(i) Color	25
(ii) Uniformity of size and shape	15
(iii) Absence of defects	30
(iv) Texture	30
Total score	100

(3) The score for the factors of color, uniformity of size and shape, and absence of defects in frozen diced carrots is determined immediately after thawing so that the product is substantially free from ice crystals and can be handled as individual units. A representative sample of the product is cooked for examination with respect to texture and for flavor and odor.

(4) "Good flavor and odor" means that the product after cooking has a good characteristic, normal flavor and odor and is free from objectionable flavors and objectionable odors of any kind.

(5) "Reasonably good flavor and odor" means that the product after cooking may be lacking in good flavor and odor but is free from objectionable flavors and objectionable odors of any kind.

(d) *Ascertaining the rating for the factors which are scored.* The essential variations within each factor which is scored are so described that the value may be ascertained for each factor and expressed numerically. The numerical range within each factor which is scored is inclusive (for example, "12 to 15 points" means 12, 13, 14, or 15 points).

(1) *Color.* (i) Frozen diced carrots that possess a good color may be given a score of 21 to 25 points. "Good color" means that the frozen diced carrots possess an orange-yellow color that is bright and typical of frozen carrots.

(ii) If the frozen diced carrots possess a reasonably good color, a score of 18 to 20 points may be given. Frozen diced carrots that fall into this classification shall not be graded above U. S. Grade B or U. S. Extra Standard, regardless of the total score for the product (this is a limiting rule). "Reasonably good color" means that the frozen diced carrots possess the typical color of frozen carrots and such color may be slightly dull but not off color.

(iii) Frozen diced carrots that are off color for any reason or that fail to meet the requirements of subdivision (ii) of this subparagraph may be given a score of 0 to 17 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

(2) *Uniformity of size and shape.* (i) Frozen diced carrots that are practically uniform in size and shape may be given a score of 12 to 15 points. "Practically uniform in size and shape" means that the units are practically uniform in size and shape with edges, other than the rounded outer edges, measuring approximately ½ inch or less; and the aggregate weight of all units of irregular shape which are noticeably smaller than one-half the volume of an average size cube and of all noticeably large and large irregular shaped units does not exceed 12 percent of the weight of all the units.

(ii) If the frozen diced carrots are reasonably uniform in size and shape a score of 8 to 11 points may be given. "Reasonably uniform in size and shape" means that the units are reasonably uniform in size and shape with edges, other than the rounded outer edges, measuring approximately ½ inch or less; and the aggregate weight of all units of irregular shape which are noticeably smaller than one-half the volume of an average size cube and of all noticeably large and large irregular shaped units does not exceed 25 percent of the weight of all the units.

(iii) Frozen diced carrots that fail to meet the requirements of subdivision (ii) of this subparagraph may be given a score of 0 to 7 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

(3) *Absence of defects.* (i) The factor of absence of defects refers to the degree of freedom from defective units. Defective units are units damaged by mechanical injury, unpeeled units, units blemished by brown or black internal or external discoloration, pathological injury or insect injury and units blemished by other means.

(a) "Damaged by mechanical injury" means crushed, broken or cracked units, units with excessively frayed edges and surfaces, excessively trimmed units, or damaged by other means.

(b) "Unpeeled unit" means any unit possessing an unpeeled area greater than the area of a circle ¼ inch in diameter.

(c) "Blemished" means any unit blemished to the extent that the appearance or eating quality is seriously affected.

(ii) Frozen diced carrots that are practically free from defects may be given a score of 26 to 30 points. "Practically free from defects" means that the aggregate weight of all defective units

[1] The requirements of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act.

does not exceed 10 percent of the weight of all the units, and of such 10 percent not more than one-half thereof or 5 percent, by weight, of all the units may consist of blemished units.

(iii) Frozen diced carrots that are reasonably free from defects may be given a score of 22 to 25 points. Frozen diced carrots that fall into this classification shall not be graded above U. S. Grade B or U. S. Extra Standard, regardless of the total score for the product (this is a limiting rule). "Reasonably free from defects" means that the aggregate weight of all defective units does not exceed 16 percent of the weight of all the units, and of such 16 percent not more than one-half thereof or 8 percent, by weight, of all the units may consist of blemished units.

(iv) Frozen diced carrots that fail to meet the requirements of subdivision (iii) of this subparagraph may be given a score of 0 to 21 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

(4) *Texture.* (i) The factor of texture refers to the tenderness of the carrots, and the degree of freedom from stringy or coarse fibers.

(ii) Frozen diced carrots that possess a tender texture may be given a score of 26 to 30 points. "Tender texture" means that the carrots are tender, not fibrous, and possess a uniform character.

(iii) If the frozen diced carrots possess a reasonably tender texture, a score of 22 to 25 points may be given. Frozen diced carrots that fall into this classification shall not be graded above U. S. Grade B or U. S. Extra Standard, regardless of the total score for the product (this is a limiting rule). "Reasonably tender texture" means that the carrots are reasonably tender, may be variable in character but not tough or hard, and may possess a few stringy or coarse fibers.

(iv) Frozen diced carrots that fail to meet the requirements of subdivision (iii) of this subparagraph may be given a score of 0 to 21 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

(e) *Tolerance for certification of officially drawn samples.* (1) When certifying samples that have been officially drawn and which represent a specific lot of frozen diced carrots, the grade for such lot will be determined by averaging the total scores of all containers, if:

(i) Not more than one-sixth of the containers comprising the sample fails to meet all the requirements of the grade indicated by the average of such total scores, and with respect to such containers which fail to meet the requirements of the indicated grade by reason of a limiting rule, the average score of all containers in the sample for the factor, subject to such limiting rule, must be within the range for the grade indicated;

(ii) None of the containers comprising the sample falls more than 4 points below the minimum score for the grade indicated by the average of the total scores; and

(iii) All containers comprising the sample meet all applicable standards of quality promulgated under the Federal Food, Drug, and Cosmetic Act and in effect at the time of the aforesaid certification.

(f) *Score sheet for frozen diced carrots.*

Size and kind of container		
Container marks or identification		
Label		
Net weight (ounces)		
Style		
Factors	**Score points**	
I. Color	25	(A) 21–25 (B) [1] 18–20 (SStd.) [1] 0–17
II. Uniformity of size and shape.	15	(A) 12–15 (B) 8–11 (SStd.) [1] 0–7
III. Absence of defects	30	(A) 26–30 (B) [1] 22–25 (SStd.) [1] 0–21
IV. Texture	30	(A) 26–30 (B) [1] 22–25 (SStd.) [1] 0–21
Total score	100	
Grade		
Flavor and odor		

[1] Indicates limiting rule.

Issued at Washington, D. C., this 27th day of June 1951.

[SEAL] F. R. BURKE,
Acting Assistant Administrator, Production and Marketing Administration.

[F. R. Doc. 51–7587; Filed, July 2, 1951; 8:48 a. m.]

[7 CFR Part 905]

[Docket No. AO 209–A2]

HANDLING OF MILK IN OKLAHOMA CITY, OKLA., MARKETING AREA

NOTICE OF HEARING ON PROPOSED AMENDMENTS TO TENTATIVE MARKETING AGREEMENT AND TO ORDER

Correction

In Federal Register Document 51–7282, appearing on page 5997 of the issue for Saturday, June 23, 1951, the place for the public hearing, referred to in the first paragraph, should read "Room 609, County Court House, 321 Northwest First Street, Oklahoma City, Okla."

NOTICES

DEPARTMENT OF COMMERCE

Federal Maritime Board

[Docket No. 711]

ALASKA STEAMSHIP CO.; INCREASED RATES

NOTICE OF HEARING

Pursuant to order herein dated May 18, 1951, as amended by orders dated June 8, 1951, and June 27, 1951, notice is hereby given that a public hearing will be held in this proceeding at Seattle, Washington, on September 10, 1951, at 10 o'clock a. m., P. d. s. t., before Examiner F. J. Horan. Notice of hearing room and of any further hearings to be scheduled will be duly served upon parties hereto.

The purpose of the hearing, which will be held pursuant to sections 3 and 4 of the Intercoastal Shipping Act, 1933, as amended, and sections 16, 18, and 22 of the Shipping Act, 1916, as amended, is:

(A) To afford respondent Alaska Steamship Company an opportunity to submit evidence in support of the justness, reasonableness, and nonprejudicialness of the rates and fares in question.

(B) To afford protestant Territory of Alaska an opportunity to submit evidence in support of its allegations (1) that the rates and fares in question are unjust and unreasonable; (2) that said rates are unduly preferential of so-called 'industry" traffic such as canned salmon, and unduly prejudicial to so-called "town" traffic; and (3) that respondent's practices in scheduling, loading, and unloading its vessels contribute to the alleged unlawfulness of said rates.

(C) To afford interveners an opportunity to present evidence pertinent to the issues stated above.

(D) To afford the Federal Maritime Board and all parties the opportunity to present any additional evidence material to the issues in this proceeding.

Under section 22 of the Shipping Act, 1916, any person may file with the Board a sworn complaint setting forth any violation of that act by a common carrier by water and asking reparation for the injury, if any, caused thereby. Any such complaint within the issues set forth above, if promptly filed, will be consolidated for hearing and disposition with this proceeding.

Dated: June 27, 1951.

By order of the Federal Maritime Board.

[SEAL] A. J. WILLIAMS,
Secretary.

[F. R. Doc. 51–7628; Filed, July 2, 1951; 8:53 a. m.]

MEMBER LINES OF U. S. ATLANTIC AND GULF/HAITI CONFERENCE

NOTICE OF AGREEMENT FILED FOR APPROVAL

Notice is hereby given that the following described agreement has been filed with the Board for approval pursuant to section 15 of the Shipping Act, 1916, as amended.

Agreement 5590–5 (Revised), between the member lines of the United States Atlantic and Gulf/Haiti Conference, modifies the Rules and Regulations attached to and made a part of the basic

agreement of said Conference (No. 5590) to provide that member lines may equalize actual insurance differentials on cargo by reason of flag, overage or undersize disability of vessel or vessels or for other good and sufficient reasons, when authorized by unanimous agreement of the member lines. As presently worded the Rules and Regulations prohibit the equalization of marine insurance.

Interested parties may inspect this agreement and obtain copies thereof at the Regulation Office, Federal Maritime Board, Washington, D. C., and may submit, within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to this agreement and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

By order of the Federal Maritime Board.

Dated: June 28, 1951.

[SEAL] A. J. WILLIAMS,
Secretary.

[F. R. Doc. 51-7629; Filed, July 2, 1951; 8:53 a. m.]

National Production Authority

[NPA Del. 7 as Amended July 2, 1951]

DIRECTORS OF REGIONAL OFFICES AND MANAGERS OF DISTRICT OFFICES OF THE DEPARTMENT OF COMMERCE

DELEGATION OF AUTHORITY TO ADMINISTER NPA ORDER M-4

NPA Del. 7 as amended June 7, 1951, is amended by making additions to List A.

Del. 7 as amended reads as follows:

1. Pursuant to the authority of section 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61; Defense Production Administration Delegation 1, January 24, 1951; and U. S. Department of Commerce Order 123 as amended, the following administrative functions to be performed pursuant to NPA Order M-4 are delegated to the Directors of the Regional Offices of the U. S. Department of Commerce, and the Managers of the District Offices of the U. S. Department of Commerce, specified in List A of this delegation:

(a) To receive, consider, pass upon, and take action for and in the name of the National Production Authority upon, applications for an authorization to commence construction pursuant to section 6 of the NPA Order M-4.

(b) To receive, consider, pass upon, and take action for and in the name of the National Production Authority upon, applications for adjustment and exception based upon unreasonable hardship pursuant to section 11 of NPA Order M-4.

(c) To receive, consider, pass upon, and take action for and in the name of the National Production Authority upon, applications for exemption where the prohibition of such construction would not be in the interest of the national defense pursuant to section 11 of NPA Order M-4.

2. Actions taken by a Regional Director or District Manager pursuant to this delegation shall be signed as follows:

National Production Authority
By_____
(Name and Title)

3. Whenever the Regional Director or District Manager is absent from his office for a period longer than 3 days, he is authorized to delegate to the person placed in charge of the office during his absence the right to sign the name of the Regional Director or the District Manager to actions taken pursuant to this delegation.

This delegation as amended shall take effect on July 2, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

LIST A

REGIONAL OFFICES TO WHOSE DIRECTORS THIS DELEGATION EXTENDS

Region I—1800 Customhouse, Boston 9, Mass.
Region II—42 Broadway, New York 4, N. Y.
Region III—Jefferson Building, 1015 Chestnut Street, Philadelphia 6, Pa.
Region IV—Room 2, Mezzanine, 801 East Broad Street, Richmond 19, Va.
Region V—418 Atlanta National Building, 50 Whitehall Street SW., Atlanta 3, Ga.
Region VI—410 Union Commerce Building, 925 Euclid Avenue, Cleveland 14, Ohio.
Region VII—1763 La Salle-Wacker Building, 221 North La Salle Street, Chicago 1, Ill.
Region VIII—207 Minnesota Federal Savings and Loan Building, 607 Marquette Avenue, Minneapolis 2, Minn.
Region IX—2400 Fidelity Building, 911 Walnut Street, Kansas City 6, Mo.
Region X—Room 1114, 1114 Commerce Street, Dallas 2, Tex.
Region XI—142 New Customhouse, Nineteenth and Stout Streets, Denver 2, Colo.
Region XII—315 Flood Building, 870 Market Street, San Francisco 2, Calif.
Region XIII—809 Federal Office Building, 909 First Avenue, Seattle 4, Wash.

DISTRICT OFFICES TO WHOSE MANAGERS THIS DELEGATION EXTENDS

312 Court Square Building, 200 East Lexington Street, Baltimore 2, Md.
731 Frank Nelson Building, Second Avenue and Twentieth Street, Birmingham, Ala.
719 James Building, Eighth and Broad Street, Chattanooga 2, Tenn.
1404 Federal Reserve Bank Building, 105 West Fourth Street, Cincinnati 2, Ohio.
601 Securities Building, 418 Seventh Street, Des Moines 9, Iowa.
1038 Federal Building, 230 West Fort Street, Detroit 26, Mich.
Chamber of Commerce Building, 310 San Francisco Street, El Paso, Tex.
224 Post Office Building, 135 High Street, Hartford 1, Conn.
602 Federal Office Building, Houston 14, Tex.
425 Federal Building, 311 West Monroe Street, Jacksonville 1, Fla.
1546 United States Post Office and Courthouse, 312 North Spring Street, Los Angeles 12, Calif.
631 Federal Building, Louisville 2, Ky.
229 Federal Building, Memphis 3, Tenn.
947 Seybold Building, 36 Northeast First Street, Miami 32, Fla.
308 Federal Building, 109-13 St. Joseph Street, Mobile 10, Ala.
1508 Masonic Temple Building, 333 St. Charles Avenue, New Orleans, La.
502 W. O. W. Building, 1319 Farnam Street, Omaha 2, Neb.
1021 Clark Building, 717 Liberty Avenue, Pittsburgh 22, Pa.
217 Old United States Courthouse, 520 Southwest Morrison Street, Portland 4, Oreg.
327 Post Office Annex, Providence 3, R. I.
910 New Federal Building, 1114 Market Street, St. Louis 1, Mo.
528 Dooly Building, 109 West Second South Street, Salt Lake City 1, Utah.
518 Bedell Building, 118 Broadway, San Antonio, Tex.
411 Pennsylvania Building, Front and French Streets, Wilmington, Del.
116 Palmetto State Life Building, 1310 Lady Street, Columbia 1, S. C.
312 Trautman Building, 209 South High Street, Columbus, Ohio.
Dillingham Building, Honolulu, T. H.
205 Fidelity Building, 426 Yazoo Street, Jackson, Miss.
204 Guardian Building, 309 Center Street, Little Rock, Ark.
315 Beacon Building, 814 Elm Street, Manchester, N. H.
Willard Block Building, 79 Main Street, Montpelier, Vt.
8 Halsey Street, Newark 2, N. J.
324 Commercial National Bank Building, 302 S. Adams Street, Peoria, Ill.
808 N. First Street, Phoenix, Ariz.
3-F State Capitol Life Insurance Building, 2620 Hillsboro Street, Raleigh, N. C.
1479 Wells Avenue, Reno, Nev.
819 Commerce Building, 119 East Main Street, Rochester, N. Y.
502 Cutler Building, 301 S. Main Street, Rockford, Ill.
Chamber of Commerce Building, 435 West Broadway, San Diego, Calif.
2 Puerto Rican Reconstruction Admin. Ground, Building N, San Juan, P. R.
Belmont Building, 404½ Marshall Street, Shreveport, La.
306 Old Post Office Building, E. State & Montgomery Street, Trenton, N. J.
304 Wright Building, 115 West Third Street, Tulsa 3, Okla.
201 Dean Building, 107 Front Street, Worcester, Mass.

[F. R. Doc. 51-7696; Filed, June 29, 1951; 4:43 p. m.]

ECONOMIC STABILIZATION AGENCY

Office of Price Stabilization

[Ceiling Price Regulation 7, Section 43, Special Order 5, Amdt. 1]

COOPERS, INC.

CEILING PRICES AT RETAIL

Statement of considerations. Special Order 5, under section 43 of Ceiling Price Regulation 7, issued on April 25, 1951, established ceiling prices for sales at retail of men's and boys' underwear manufactured by Coopers, Incorporated, under the brand name "Jockey." The special order required the manufacturer to mark each article listed in the special order with the retail ceiling price fixed under the special order, or to attach to each article a label, tag or ticket stating the retail ceiling price. Applicant was required to comply with this preticketing provision on and after July 1, 1951.

Coopers, Incorporated, has filed an application for an extension of time in which to meet this preticketing requirement. The application points out that the applicant's prices as a manufacturer

will be determined under Ceiling Price Regulation 45, issued on June 14, 1951, and that if its items are now preticketed with prices determined under General Ceiling Price Regulation, it may be necessary to preticket with new prices after completing the computations required by Ceiling Price Regulation 45. Applicant would then be required to open thousands of cartons, remove old price labels, and affix new labels reflecting prices determined under Ceiling Price Regulation 45.

Under the special circumstances set forth by the applicant, the Director has determined that the requested amendment be granted.

Amendatory provisions. Special Order 5 under Ceiling Price Regulation 7, section 43, is amended in the following respects:

1. In paragraph 4, substitute for the date "July 1, 1951," the date "August 15, 1951."

2. In paragraph 4, substitute for the date "August 1, 1951," the date "September 15, 1951," and following the sentence in which this appears add the following sentence: "Prior to September 15, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order."

Effective date. This amendment shall become effective on June 29, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JUNE 28, 1951.

[F. R. Doc. 51-7596; Filed, June 28, 1951; 4:08 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 102]

ROSE BROTHERS, INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Rose Brothers, Inc., 275-7th Avenue, New York, N. Y., has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of men's suits and slacks manufactured by Rose Brothers, Inc., having the brand name(s) "Surretwill", "Krisp-Spun", and "Airgora-Spun", shall be the proposed retail ceiling prices listed by Rose Brothers, Inc., in its application dated April 16, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the FEDERAL REGISTER as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 4, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after August 3, 1951, Rose Brothers, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after September 4, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to September 4, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$------ per ------{unit / dozen / etc.}	Terms {net / percent EOM. / etc.}
	$-------

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or

amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective June 29, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JUNE 28, 1951.

[F. R. Doc. 51-7597; Filed, June 28, 1951; 4:08 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 103]

DORA MILES CO.

CEILING PRICE AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, The Dora Miles Company, Branford, Connecticut, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of corsets and bras manufactured by the Dora Miles Company, Branford, Connecticut, having the brand name(s) "Dora Miles", shall be the proposed retail ceiling prices listed by the Dora Miles Company, in its application dated March 29, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the FEDERAL REGISTER as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 4, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after August 3, 1951, the Dora Miles Company, must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after September 4, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to September 4, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1) Our price to retailers	(Column 2) Retailer's ceilings for articles of cost listed in column 1
$_____ per _____{unit / dozen / etc.}	Terms {net / percent EOM. / etc.} $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective June 29, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JUNE 28, 1951.

[F. R. Doc. 51-7598; Filed, June 28, 1951; 4:08 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 104]

ENGER-KRESS CO.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Enger-Kress Company, West Bend, Wisconsin, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information

required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of billfolds, purses, pocket secretaries, dial-a-key and key cases manufactured by Enger-Kress Company, West Bend, Wisconsin, having the brand name(s) "Enger-Kress," shall be the proposed retail ceiling prices listed by Enger-Kress Company, in its application dated April 11, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the FEDERAL REGISTER as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 4, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after August 3, 1951, Enger-Kress Company, must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after September 4, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to September 4, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per _____ {unit / dozen / etc.}	Terms {net / percent EOM, / etc.} $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective June 29, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JUNE 28, 1951.

[F. R. Doc. 51-7599; Filed, June 28, 1951; 4:08 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 105]

COBLENTZ BAG CO., INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Coblentz Bag Company, Inc., 30 East 33d Street, New York 16, N. Y., has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered

by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of women's handbags manufactured by Coblentz Bag Company, Inc., 30 East 33d Street, New York 16, N. Y., having the brand name "Coblentz", shall be the proposed retail ceiling prices listed by Coblentz Bag Company, Inc., in its application dated April 2, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the FEDERAL REGISTER as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 24, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after August 3, 1951, Coblentz Bag Company, Inc. must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after September 4, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to September 4, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per _____{unit / dozen / etc.}	Terms {net / percent EOM. / etc.}
	$_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective June 29, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JUNE 28, 1951.

[F. R. Doc. 51-7600; Filed, June 28, 1951; 4:09 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 106]

TRIFARI, KRUSSMAN & FISHEL, INC.

CEILING PRICES AT RETAIL

Statement of consideration. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Trifari, Krussman & Fishel, Inc., 16 East 40th Street, New York 16, New York, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of costume jewelry manufactured by Trifari, Krussman & Fishel, Inc., 16 E. 40th Street, New York 16, New York, having the brand name(s) "Trifari", shall be the proposed retail ceiling prices listed by Trifari, Krussman & Fishel, Inc., in its application dated April 24, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. (and supplemented and amended in the manufacturer's application dated May 17, 1951).

A list of such ceiling prices will be filed by the Office of Price Stabilization with the FEDERAL REGISTER as an appendix to

this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 4, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after August 3, 1951, Trifari, Krussman & Fishel, Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after September 4, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to September 4, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$------ per ------{unit / dozen / etc.	Terms {net / percent EOM. / etc. $--------

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective June 29, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JUNE 28, 1951.

[F. R. Doc. 51-7601; Filed, June 28, 1951; 4:09 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 107]

BALI BRASSIERE CO., INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Bali Brassiere Co., Inc., 8 West 30th Street, New York, N. Y., has applied to the office Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of brassieres manufactured by Bali Brassiere Co., Inc., 8 West 30th Street, New York, N. Y., having the brand name(s) "Bali", shall be the proposed retail ceiling prices listed by Bali Brassiere Co., Inc., in its application dated April 2, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the FEDERAL REGISTER as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 4, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after August 3, 1951, Bali Brassiere Co., Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article

a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after September 4, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to September 4, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$----- per -----{unit / dozen / etc.	Terms {net / percent EOM. / etc. $--------

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective June 29, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JUNE 28, 1951.

[F. R. Doc. 51-7602; Filed, June 28, 1951; 4:10 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 108]

BURLINGTON MILLS CORP.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Burlington Mills Corporation, c/o Burlington Mills Corporation of New York, Hosiery Division, Room 6000, Empire State Building, New York 1, N. Y., has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of women's hosiery manufactured by Burlington Mills Corporation, c/o Burlington Mills Corporation of New York, Hosiery Division, Room 6000, Empire State Building, New York 1, N. Y., having the brand name(s) "Bur-Mil Cameo", shall be the proposed retail ceiling prices listed by Burlington Mills Corporation, in its application dated April 17, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the FEDERAL REGISTER as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 4, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On an after August 3, 1951, Burlington Mills Corporation, must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after September 4, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to September 4, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After

60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereof (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1) Our price to retailers	(Column 2) Retailer's ceilings for articles of cost listed in column 1
$------ per ------{unit / dozen / etc.	Terms {net / percent EOM. / etc.
	$--------

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective June 29, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JUNE 28, 1951.

[F. R. Doc. 51-7603; Filed, June 28, 1951; 4:10 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 109]

SALMANSON & CO., INC.

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Salmanson & Co., Inc., 1107 Broadway, New York 10, N. Y., has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of unpainted furniture manufactured by Salmanson & Co., Inc., 1107 Broadway, New York 10, N. Y., having the brand name(s) "Aristo-Bilt", shall be the proposed retail ceiling prices listed by Salmanson & Co., Inc., in its application dated March 30, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the FEDERAL REGISTER as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 4, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after August 3, 1951, Salmanson & Co., Inc., must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after September 4, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to September 4, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within 2 months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by

this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per _____{unit / dozen / etc.}	Terms {net / percent EOM, / etc.} $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective June 29, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JUNE 28, 1951.

[F. R. Doc. 51-7604; Filed, June 28, 1951; 4:10 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 110]

HAT CORP. OF AMERICA

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Hat Corporation of America, 417 Fifth Ave., New York 16, N. Y., has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of men's and woman's hats manufactured by Hat Corporation of America, 417 Fifth Ave., New York 16, N. Y., having the brand name(s) "Dobbs", "Crofut and Knapp", "Knapp-Felt", "Berg", "Cavanagh", "Knox", "Brown", "Dunlap", "Roxford", "Croxley", "Chalfonte", and "Bagatelle", shall be the proposed retail ceiling prices listed by Hat Corporation of America, in its application dated April 16, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. A list of such ceiling prices will be filed by the Office of Price Stabilization with the FEDERAL REGISTER as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than September 4, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after August 3, 1951, Hat Corporation of America, must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $_____

On and after September 4, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to September 4, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within 2 months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the coresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$_____ per _____{unit / dozen / etc.}	Terms {net / percent EOM / etc.} $_____

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, the manu-

facturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective June 29, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JUNE 28, 1951.

[F. R. Doc. 51-7605; Filed, June 28, 1951; 4:10 p. m.]

[Delegation of Authority 11]

DIRECTORS OF THE REGIONAL OFFICES

DELEGATION OF AUTHORITY TO ACT ON CERTAIN APPLICATIONS UNDER DISTRIBUTION REGULATION 1

By virtue of the authority vested in me as Director of Price Stabilization pursuant to the Defense Production Act of 1950 and Executive Order 10161 (15 F. R. 6105) by Economic Stabilization Agency General Order No. 5 (16 F. R. 1273) this delegation of authority is hereby issued.

1. Authority is hereby delegated to the Directors of the Regional Offices, Office of Price Stabilization:

(a) To request further information from an applicant or to deny application of Class 2 Slaughterers for adjustments or for other relief made pursuant to section 9 of Distribution Regulation 1;

(b) To request further information from an applicant or to grant or deny applications for the sale or transfer of Class 2 slaughtering establishments made pursuant to section 10 of Distribution Regulation 1;

(c) To request further information from an applicant or to deny applications for registrations of new Class 2 slaughtering establishments made pursuant to section 11 of Distribution Regulation 1.

This delegation shall take effect on July 3, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 2, 1951.

[F. R. Doc. 51-7743; Filed, July 2, 1951; 12:17 p. m.]

[Delegation of Authority 12]

ASSISTANT DIRECTOR FOR PRICE OPERATIONS

DELEGATION OF AUTHORITY TO GRANT OR DENY CERTAIN APPLICATIONS UNDER DISTRIBUTION REGULATION 1

By virtue of the authority vested in me as Director of Price Stabilization pursuant to the Defense Production Act of 1950 and Executive Order 10161 (15 F. R. 6105) by Economic Stabilization Agency General Order No. 5 (16 F. R. 1273) this Delegation of Authority 12 is hereby issued.

1. Authority is hereby delegated to the Assistant Director for Price Operations, Office of Price Stabilization:

(a) To request further information from an applicant or to grant or deny applications for adjustments or for any other relief made pursuant to section 9 of Distribution Regulation 1;

(b) To request further information from an applicant or to grant or deny applications for the sale or transfer of Class 1 or Class 2 slaughtering establishments made pursuant to section 10 of Distribution Regulation 1;

(c) To request further information from an applicant or to grant or deny applications for registrations of new Class 1 or Class 2 slaughtering establishments made pursuant to section 11 of Distribution Regulation 1.

2. The authority hereby delegated may be redelegated to the Director, Food and Restaurant Division, Office of Price Operations, with the authority to redelegate to the Chiefs of the Branches of the Food and Restaurant Division.

This delegation shall take effect on July 3, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 2, 1951.

[F. R. Doc. 51-7742; Filed, July 2, 1951; 12:17 p. m.]

[Delegation of Authority 12, Supp. 1]

DIRECTOR, FOOD AND RESTAURANT DIVISION

REDELEGATION OF AUTHORITY TO GRANT OR DENY CERTAIN APPLICATIONS UNDER DISTRIBUTION REGULATION 1

By virtue of the authority vested in me as Assistant Director for Price Operations, Office of Price Stabilization by Delegation of Authority No. 12, this Supplement 1 to delegation of authority is hereby issued.

1. Authority is hereby delegated to the Director, Food and Restaurant Division, Office of Price Operations:

(a) To request further information from an applicant or to grant or deny applications for adjustments or for any other relief made pursuant to section 9 of Distribution Regulation 1;

(b) To request further information from an applicant or to grant or deny applications for the sale or transfer of Class 1 or Class 2 slaughtering establishments made pursuant to Distribution Regulation 1;

(c) To request further information from an applicant or to grant or deny applications for registrations of new Class 1 or Class 2 slaughtering establishments made pursuant to section 11 of Distribution Regulation 1.

(2) The authority hereby delegated may be redelegated to the Chiefs of the Branches of the Food and Resturant Division.

This delegation shall take effect on July 3, 1951.

EDWARD F. PHELPS,
Assistant Director for Price Operations.

JULY 2, 1951.

[F. R. Doc. 51-7744; Filed, July 2, 1951; 12:17 p. m.]

FEDERAL POWER COMMISSION

[Project No. 739]

APPALACHIAN ELECTRIC POWER CO.

ORDER FIXING DATE FOR HEARING

JUNE 26, 1951.

Under date of August 24, 1944, Appalachian Electric Power Company, Licensee of Project No. 739, pursuant to the provisions of the Federal Power Act and the license issued thereunder for Project No. 739, filed its statement of claimed actual legitimate original cost for that project, as of June 30, 1944, in the amount of $10,725,721.15. That amount was increased to $10,734,587.20, as of December 31, 1946, by Licensee's filing of claimed changes in project plant, accounts for the period July 1, 1944, through December 31, 1946.

Upon completion of a field examination of the project and the claimed cost by the Commission's staff, and after conferences between the staff and Licensee's representatives on certain items and amounts questioned by the staff, Licensee, on March 2, 1950, filed a revised claim in the amount of $10,231,045.74 as of December 31, 1946.

On July 20, 1950, the Commission's staff's report on the revised claim was duly served upon Licensee. In that report the staff recommended that $9,644,927.15 be allowed as actual legitimate original cost of the project as of December 31, 1946, and that $586,118.59 be disallowed. On September 20, 1950, Licensee filed a "Protest to Staff Report" in which it excepted to the staff's recommended disallowance of $586,118.59.

Subsequently, by letter dated May 3, 1951, Licensee requested the Commission to determine on the basis of the staff report and Licensee's protest that the $586,118.59 is a part of the actual legitimate original cost, asserting that such decision would make it "wholly unnecessary to have an elaborate record covering all possible arguments and contentions or for either the (Licensee) or the Commission's staff to undertake the considerable work and expense incident to the making of such a record—whether by stipulation or otherwise." Licensee, however, indicated that it would not accept a decision based on the staff report and protest which was adverse to its contentions on the $586,118.59, but would "feel it necessary to have the protection of a complete record covering every possible phase of the matter and supporting every possible contention."

The Commission finds: It is necessary or appropriate to carry out the provisions of the Federal Power Act that a hearing be held on the issues presented by the staff report and Licensee's protest with respect to the actual legitimate original cost of Project No. 739, as of December 31, 1946, in order that the issues thereby presented may be determined upon a complete record.

The Commission orders: A hearing be held commencing August 20, 1951, in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., on the issues presented by the staff report and Licensee's protest with respect to the actual legitimate original cost of Project No. 739, as of December 31, 1946, and at that hearing, as provided by the Federal Power Act, the burden of proof to justify the inclusion of $586,118.59, or any part thereof, as part of the actual legitimate original cost of Project No. 739, shall be on the Licensee.

Date of issuance: June 27, 1951.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 51-7566; Filed, July 2, 1951; 8:45 a. m.]

[Docket No. G-1692]

SOUTHERN CALIFORNIA GAS CO. AND SOUTHERN COUNTIES GAS CO. OF CALIFORNIA

NOTICE OF APPLICATION

JUNE 26, 1951.

Take notice that Southern California Gas Company and Southern Counties Gas Company of California (Applicants), California corporations, address 810 South Flower Street, Los Angeles, California, filed on May 24, 1951, an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act authorizing the construction and operation as tenants in common of certain transmission pipeline facilities hereinafter described.

This application is for authorization to construct, and operate in case of emergency a by pass pipeline for that segment of the Texas to Los Angeles, California, 30-inch diameter pipeline which crosses the Colorado River on a suspension bridge that is owned by Applicants. The purpose of this emergency bypass river crossing is to maintain uninterrupted gas service in case the original 30-inch pipeline which crosses the Colorado River is destroyed by enemy action or by any other unforeseen action. The project has been endorsed by the Director for Civilian Defense for California. The proposed bypass pipeline across the Colorado River will be suspended from an existing highway bridge and consist of a 16-inch O. D. pipe with 20-inch pipelines approaching such bridge crossing. The facilities to be owned and operated by Applicants will consist of those located on the California side to the center of the Colorado River. The El Paso Natural Gas Company will own and operate that portion of the integrated emergency facilities extending from the Arizona side of the Colorado River to the center of the bridge.

The estimated cost of the proposed facilities to Applicants is $43,725, which will be financed from current sources of funds.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 16th day of July 1951. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 51-7567; Filed, July 2, 1951; 8:45 a. m.]

[Docket No. G-1693, G-1473, G-1649]

TEXAS EASTERN TRANSMISSION CORPORATION ET AL.

ORDER FIXING DATE OF HEARING AND CONSOLIDATING PROCEEDINGS

JUNE 26, 1951.

In the matters of Texas Eastern Transmission Corporation, Docket No. G-1693; Alabama - Tennessee Natural Gas Company, Docket No. G-1473; Tennessee Gas Company, Docket No. G-1649.

On May 25, 1951, Texas Eastern Transmission Corporation, (Texas Eastern) a Delaware corporation, with its principal office at Texas Eastern Building, Shreveport, Louisiana, filed an application in Docket No. G-1693 for a certificate of public convenience and necessity pursuant to section 7 (c) of the Natural Gas Act authorizing the sale of approximately 91,882 Mcf of natural gas which was left unallocated and unsold in the proceeding in Docket No. G-1012 where the capacity to transport such gas was authorized.

On September 5, 1950, Alabama-Tennessee Natural Gas Company, (Alabama-Tennessee) a Delaware corporation, with offices at Florence, Alabama, filed an application pursuant to section 7 (a) of the Natural Gas Act for an order directing Texas Eastern to establish physical connection of its facilities and the facilities of Alabama-Tennessee and to deliver to the latter a supply of natural gas (up to approximately 20,000 Mcf per day) to meet demands of its present and future customers for additional supplies of natural gas.

On April 2, 1951, Tennessee Gas Company (Tennessee Gas) a Tennessee corporation with offices at Murfreesboro, Tennessee, filed an application for an order pursuant to section 7 (a) directing Texas Eastern to sell and deliver natural gas to it for distribution in Murfreesboro, Tennessee, where Tennessee Gas is now distributing manufactured gas.

The Commission finds: Orderly procedure requires that the proceedings in Docket Nos. G-1693, G-1473, and G-1649 be consolidated for purpose of hearing.

The Commission orders:

(A) The proceedings in Docket Nos. G-1693, G-1473, and G-1649 be and they are hereby consolidated for purposes of hearing.

(B) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, as amended, and the Commission's rules of practice and procedure, a hearing be held commencing on July 24, 1951, at 10:00 a. m., e. d. s. t., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by such application.

(C) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the said rules of practice and procedure.

Date of issuance: June 27, 1951.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 51-7571; Filed, July 2, 1951; 8:46 a. m.]

[Docket No. G-1722]

PANHANDLE EASTERN PIPE LINE CO.

NOTICE OF APPLICATION

JUNE 27, 1951.

Take notice that on June 20, 1951, Panhandle Eastern Pipe Line Company (Applicant), a Delaware corporation with its principal office at Kansas City, Missouri, filed an application in the alternative seeking (a) a disclaimer by the Commission of its jurisdiction or (b) a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, as amended, authorizing the construction and operation of the following described natural-gas facilities:

Physical connection, measuring and regulating station, and appurtenant facilities at the point of connection of the proposed pipeline to be constructed by The Alsey Brick & Tile Company, Alsey, Illinois, with Applicant's main line north of Alsey, Illinois.

Applicant proposes to construct and operate the described facilities for the purpose of making sales of natural gas to The Alsey Brick & Tile Company, on an interruptible basis in accordance with the terms of an industrial gas contract dated March 12, 1951, of volumes of natural gas not to exceed 1,500 Mcf daily, for use as fuel in the periodic kilns and dryers of buyers plant at Alsey, Illinois, for a primary contract period of three (3) years, at a price of 30 cents per Mcf.

The application recites that Applicant will have available sufficient quantities of natural gas at the agreed point of delivery to provide the contemplated interruptible service; that the proposed sale to The Alsey Brick & Tile Company is not a sale of natural gas for resale within the meaning of section 1 (b) of the Natural Gas Act; and that the only facilities proposed to be installed are

measuring and regulating facilities incidental to such direct sale. The Alsey Brick & Tile Company will construct and operate 0.58 mile of 3-inch service pipeline from its plant to the measuring and regulating station to be constructed by Applicant as described above.

The estimated cost of the facilities proposed to be constructed by Applicant is aprpoximately $7,525, which will be paid for out of current funds on hand.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 16th day of July 1951. The application is on file with the Federal Power Commission for public inspection.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 51-7568; Filed, July 2, 1951; 8:45 a. m.]

[Docket No. G-1723]

PANHANDLE EASTERN PIPE LINE CO.

NOTICE OF APPLICATION

JUNE 27, 1951.

Take notice that on June 20, 1951, Panhandle Eastern Pipe Line Company (Applicant), a Delaware corporation with its principal office at Kansas City, Missouri, filed an application in the alternative seeking (a) a disclaimer by the Commission of its jurisdiction or (b) a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, as amended, authorizing the construction and operation of the following described natural-gas facilities:

Physical connection, measuring and regulating station, and appurtenant facilities at the point of connection of a connecting service line to be constructed by Clay City Pipe Company near Montezuma, Indiana, with Applicant's main line in Vermillion County, Indiana.

Applicant proposes to construct and operate the described facilities for the purpose of making sales of natural gas to Clay City Pipe Company, on an interruptible basis in accordance with the terms of an industrial gas contract dated March 12, 1951, of volumes of natural gas not to exceed 1500 Mcf daily, for use as fuel in boilers, dryers and kilns in its plant near Montezuma, Indiana, for a primary contract period of three (3) years, at a price of 30 cents per Mcf for the first two (2) years and 32 cents per Mcf for the third year.

The application recites that Applicant will have available sufficient quantities of gas at the agreed point of delivery to provide the contemplated interruptible service; that the proposed sale and service to Clay City Pipe Company is not a sale of natural gas for resale within the meaning of section 1 (b) of the Natural Gas Act, and that the only facilities proposed to be installed are measuring and regulating facilities incidental to such direct sale. The Clay City Pipe Company will construct and operate 0.80 mile of 3-inch service pipeline from its plant to the measuring and regulating station to be constructed by Applicant as described above.

The estimated cost of the facilities proposed to be constructed by Applicant is approximately $7,525, which will be paid for from current funds on hand.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 16th day of July 1951. The application is on file with the Federal Power Commission for public inspection.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 51-7569; Filed, July 2, 1951; 8:45 a. m.]

[Docket No. G-1724]

PANHANDLE EASTERN PIPE LINE CO.

NOTICE OF APPLICATION

JUNE 27, 1951.

Take notice that on June 20, 1951, Panhandle Eastern Pipe Line Company (Applicant), a Delaware corporation with its principal office at Kansas City, Missouri, filed an application in the alternative seeking (a) a disclaimer by the Commission of its jurisdiction or (b) a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, as amended, authorizing the construction and operation of the following described natural-gas facilities:

Physical connection, measuring and regulating station, and appurtenant facilities at the point of connection of Springfield Clay Products Company's proposed connecting service line with Applicant's existing 10-inch South Springfield lateral pipe line, Sangamon County, Illinois.

Applicant proposes to construct and operate the described facilities for the purpose of making sales of natural gas to Springfield Clay Products Company, on an interruptible basis in accordance with the terms of an industrial gas contract dated March 12, 1951, of volumes of natural gas not to exceed 1000 Mcf daily, for use in burning clay products in buyer's plant near Springfield, Illinois, for a primary contract period of three (3) years, at a price of 30 cents per Mcf.

The application recites Applicant will have available sufficient quantities of gas at the point of delivery to provide the contemplated interruptible service; that the proposed sale and service to Springfield Clay Products Company is not a sale of natural gas for resale within the meaning of section 1 (b) of the Natural Gas Act, and that the only facilities proposed to be installed are measuring and regulating facilities incidental to such direct sale. Springfield Clay Products Company will construct and and operate 0.83 mile of 4-inch service pipe line from its plant to the facilities to be constructed by Applicant as described above.

The estimated cost of the facilities proposed to be constructed by Applicant is approximately $4,075, which will be paid for from current funds on hand.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 16th day of July 1951. The application is on file with the Federal Power Commission for public inspection.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 51-7570; Filed, July 2, 1951; 8:45 a. m.]

[Docket No. E-6366]

MONTANA-DAKOTA UTILITIES CO.

NOTICE OF APPLICATION

JUNE 26, 1951.

Take notice that on June 26, 1951, an application was filed by Montana-Dakota Utilities Co., a corporation organized under the laws of the State of Delaware and doing business in the State of Minnesota, Montana, North Dakota, South Dakota and Wyoming, with its principal business office at Minneapolis, Minnesota, seeking an order authorizing the issuance of 162,838 shares of Common Stock, par value $5 per share. Applicant proposes to offer the Common Stock for subscription by its present Common Stockholders pro rata on the basis of one share for each eight shares held. Applicant requests exemption of the issue and sale of said Common Stock from the competitive bidding requirements of the Commission's rules and regulations. Applicant has negotiated for the underwriting for the sale of the Common Stock with Blyth & Co., Inc.; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 13th day of July 1951, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and procedure. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 51-7572; Filed, July 2, 1951; 8:46 a. m.]

HOUSING AND HOME FINANCE AGENCY

Public Housing Administration

DESCRIPTION OF AGENCY AND PROGRAMS AND FINAL DELEGATIONS OF AUTHORITY

FIELD ORGANIZATION

Section III, *Field organization and final delegations of authority*, is amended as follows:

1. Subparagraphs (u) and (v) are added to paragraph III b 7, as follows:

(u) Effective October 31, 1950, to execute on behalf of the PHA Annual Contributions Contracts after Presidential approval.

(v) Effective October 31, 1950, to execute on behalf of the PHA amendments to Annual Contributions Contracts: *Provided*, That amendments requiring Presidential approval may not be executed prior to such approval.

2. Subparagraphs (p), (q), and (r) are added to paragraph III b 8, as follows:

(p) Effective October 31, 1950, to execute on behalf of the PHA Annual Contributions Contracts after Presidential approval.

(q) Effective October 31, 1950, to execute on behalf of the PHA amendments to Annual Contributions Contracts: *Provided*, That amendments requiring Presidential approval may not be executed prior to such approval.

(r) Effective October 27, 1950, on behalf of the PHA to approve the award of the main construction contract and specifically to approve the amount thereof.

Date approved: June 22, 1951.

JOHN TAYLOR EGAN,
Commissioner.

[F. R. Doc. 51-7573; Filed, July 2, 1951; 8:47 a. m.]

DESCRIPTION OF AGENCY AND PROGRAMS AND FINAL DELEGATIONS OF AUTHORITY

FIELD ORGANIZATION

Section III, *Field organization and final delegations of authority*, is amended as follows:

Subparagraph (h) is added to section III e 1 as follows:

(h) Effective April 1, 1951, pursuant to NPA Regulation 4, to assign defense order ratings (indentified by the symbol DO-97) to contracts and purchase orders for maintenance and repair materials, operating supplies, and materials for minor operating improvements (any improvement or addition for which the total cost of material does not exceed $750).

Date approved: June 25, 1951.

JOHN TAYLOR EGAN,
Commissioner.

[F. R. Doc. 51-7630; Filed, July 2, 1951; 8:53 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 26212]

CLASS AND COMMODITY RATES BETWEEN POINTS ON K. C. S. RY., AND L. & A. RY.

APPLICATION FOR RELIEF

JUNE 28, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: The Kansas City Southern Railway Company, for itself and on behalf of The Arkansas Western Railway Company and other carriers named in the application.

Commodities involved: Class and commodity rates, less-than-carloads.

Between: Points in Arkansas, Louisiana, Oklahoma, Kansas, and Texas.

Grounds for relief: Competition with motor carriers.

Schedules filed containing proposed rates:

SOUTHWESTERN MOTOR FREIGHT BUREAU, INC.

Tariff MF-I. C. C. No.	I. C. C. No.	Supp. No.
171	65	2
169	63	3
168	62	14
158	54	17
162	57	17
161	56	24

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 51-7589; Filed, July 2, 1951; 8:48 a. m.]

[4th Sec. Application 26211]

GRAIN BETWEEN KANSAS POINTS

APPLICATION FOR RELIEF

JUNE 28, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: L. E. Kipp, Agent, for Chicago, Rock Island and Pacific Railroad Company and St. Louis-San Francisco Railway Company.

Commodities involved: Grain, grain products, and seeds, carloads.

Between: Points in Kansas.

Grounds for relief: Circuitous routes and competition with rail carriers.

Schedules filed containing proposed rates: L. E. Kipp's tariff I. C. C. No. A-3786, Supp. 8.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 51-7590; Filed, July 2, 1951; 8:49 a. m.]

[Rev. S. O. 562, King's I. C. C. Order 49]

BALTIMORE AND OHIO RAILROAD CO.

REROUTING OR DIVERSION OF TRAFFIC

In the opinion of Homer C. King, Agent, certain railroad carriers operating in Philadelphia, Pennsylvania, because of strike at Publicker Industries, Incorporated, are unable to dump all cars of coal routed over their lines at their facilities at Philadelphia, Pennsylvania, thereby causing congestion in the Philadelphia area: It is ordered, that:

(a) *Rerouting of traffic.* The Baltimore and Ohio Railroad is hereby authorized and directed to reroute or divert to the Reading Company for dumping at Port Richmond coal piers, the number of cars of coal on hand originally consigned to Publicker Industries, Incorporated, which the latter railroad will accept and dump for the B & O account. Billing covering all such cars rerouted shall carry a reference to this order as authority for the rerouting.

(b) *Concurrence of receiving roads to be obtained.* The railroad named, desiring to divert or reroute traffic over the line or lines of another carrier under this order, shall confer with the proper transportation officer of the railroad or railroads to which such traffic is to be diverted or rerouted, and shall receive the concurrence of such other railroads before the rerouting or diversion is ordered.

(c) *Notification to shippers.* The carrier rerouting cars in accordance with this order shall notify each shipper at the time each car is rerouted or diverted and shall furnish to such shipper the new routing provided under this order.

(d) *Effective date.* This order shall become effective at 12: 01 p. m., June 26, 1951.

(e) *Expiration date.* This order shall expire at 11: 59 p. m., July 7, 1951, unless otherwise modified, changed, suspended or annulled.

It is further ordered, that this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement

and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., June 26, 1951.

INTERSTATE COMMERCE COMMISSION
HOMER C. KING,
Agent.

[F. R. Doc. 51-7591; Filed, July 2, 1951; 8:49 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 54-184]

UNITED CORP.

MEMORANDUM OPINION AND ORDER APPROVING PLAN

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 26th day of June A. D. 1951.

On June 15, 1951, we issued our findings and opinion with respect to a plan filed pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 by The United Corporation ("United"), a registered holding company.[1] We found that such plan, which was proposed as a means of effecting compliance with section 11 (b) of the act and with our order of August 14, 1943, issued thereunder, could be approved by us as necessary to effectuate the provisions of section 11 (b) of the act and fair and equitable to the persons affected thereby if it were amended in certain respects as set forth in said Findings and Opinion.

United has filed amendments to its plan which are designed to conform with the views set forth in our findings and opinion. The principal changes relate to the terms of the offer to be made to stockholders of United who desire to withdraw from the company prior to completion of its transformation into an investment company. The plan as amended provides that holders of less than 100 shares of United common stock may, during a 14-day period beginning on the 15th day after the issuance of our order herein or as soon as practicable thereafter, surrender their shares for cash in an amount equal to the average net asset value of such stock based on the average of the closing market prices of United's portfolio on the days during the term of the offer on which the New York Stock Exchange is open. Holders of 100 or more shares of United common stock will be offered the opportunity, during such 14-day withdrawal period, to exchange their United common stock for Niagara Mohawk Power Corporation ("Niagara Mohawk") common stock having an average market value, based on the closing prices over said period, equal to 97 percent of the average net asset value computed as indicated above of the United stock surrendered. No fractional shares of Niagara Mohawk common stock are to be issued, and in lieu thereof cash will be paid equal to the average net asset value during the exchange period of the United common stock remaining after full shares are allocated. We shall reserve jurisdiction with respect to the material to be sent to the stockholders covering these transactions and our order herein will also be conditioned on United's publishing, during each day of the withdrawal period, the indicated cash payment and exchange rate under the withdrawal offers on the basis of the pertinent cumulative averages for the expired portion of the withdrawal period.

The amendments filed also remove the requirement, contained in the plan as earlier filed, that notice be given to the company of any intended exercise of cumulative voting privileges; provide that United's Certificate of Incorporation as well as its By-Laws shall be amended so that at all stockholders' meetings the quorum requisite for the transaction of business shall consist of the holders of 50 percent of the outstanding stock rather than of 25 percent as at present; and contain other minor changes consistent with our prior findings and opinion. In addition, the amendments provide that United's reduction of its holdings of voting stock of The United Gas Improvement Company to not in excess of 4.9 percent may be effected either through sales on the New York Stock Exchange or through acceptance of an exchange offer made by that company and approved by us since the issuance of our previous findings herein.[2]

The plan as amended requests that this Commission through its counsel seek enforcement of the parts of the plan which deal with the cancellation of United's outstanding option warrants and with the amendment of United's Certificate of Incorporation and By-Laws. No enforcement has been requested with respect to the other parts of the plan, including the voluntary withdrawal offers which, as noted, are to be made on the 15th day after the issuance of our order herein, or as soon as practicable thereafter. In view of the possibility of appeals from the parts of the plan as to which enforcement has not been requested and of the development of problems with respect to the availability in the appropriate forum of the record in the proceedings before us, we shall defer applying for court enforcement for the time being.

Having considered the aforesaid amendments in the light of our findings and opinion of June 15, 1951, and finding that as so amended United's plan is necessary to effectuate the provisions of section 11 (b) of the act and is fair and equitable to the persons affected by it;

It is ordered: On the basis of the record herein and the said findings and opinion and this memorandum opinion, pursuant to section 11 (e) of the act and other applicable provisions of the act, that United's plan as amended be and it hereby is approved subject to the terms and conditions contained in Rule U-24 of the general rules and regulations promulgated under the act and to the following additional terms and conditions:

1. The order entered herein shall not be operative to authorize the consummation of the provisions of the plan as amended relating to the cancellation of United's option warrants or to the amendment of United's Certificate of Incorporation or By-Laws until an appropriate United States District Court shall, upon application thereto, enter an order enforcing said provisions.

2. United shall publish, during each day of the period that the withdrawal offers under the plan are open for acceptance, the indicated cash payment and exchange rate under the offers on the basis of the pertinent cumulative average prices and values for the expired portion of the withdrawal period.

3. Jurisdiction be and it hereby is specifically reserved with respect to the following matters:

a. The examination and approval of all material to be sent to stockholders of United dealing with the plan as amended and the withdrawal offers thereunder.

b. The modification, if consummation of the plan is delayed and such action should appear necessary, of the provisions of the plan limiting acceptance of the withdrawal offers to United stockholders of record and the shares held by them at the close of business on both the date of our order herein and the day preceding the effective date of the offers.

c. The reconsideration of the provision of the exchange offer limiting the total number of shares of Niagara Mohawk common stock to be exchanged to 700,000 shares, in the event of acceptances of the exchange offer in an amount which would require substantial prorating of Niagara Mohawk common stock.

d. The examination of the need for, and approval of, any loan by United pursuant to the provision of the plan relating to the borrowing of not in excess of $4,000,000 as may be necessary to make the cash payments required under the withdrawal offers.

e. The determination of the reasonableness and appropriate allocation of all fees and expenses and other remuneration incurred or to be incurred in connection with the plan as amended, and the transactions incident thereto.

It is further ordered, That the proposed sale by United of all of its holdings of the common stock of South Jersey Gas Company be, and the same hereby is, exempted from the competitive bidding requirements of Rule U-50, subject to the terms and conditions prescribed by Rule U-24, and subject to our further order, to be issued after the detailed results of United's negotiations with private purchasers, including all offers made and

[1] The United Corporation, — S. E. C. —, Holding Company Act Release No. 10614.

[2] The United Gas Improvement Company, S. E. C. — (1951), Holding Company Act Release No. 10624. United's acceptance of that exchange offer was approved by us in *The United Corporation*, Holding Company Act Release No. 10626. With respect to any Niagara Mohawk common stock in excess of 4.9 percent of the outstanding voting stock of that company which may still be held by United after the consummation of the exchange offer, the plan as amended provides that sale of such excess shall be made on the New York Stock Exchange and shall be pursuant to an effective registration statement filed under the Securities Act of 1933 if this Commission should determine that such registration is required.

the price to be paid to United by the purchaser making the offer sought to be accepted by United, have been set forth in the record and a showing has been made that competitive conditions were maintained.

It is further ordered, That United be and it hereby is directed to mail as soon as practicable to each of its common stockholders of record this date a copy of our findings and opinion of June 15, 1951, and a copy of this memorandum opinion and order.

It is further ordered and recited, that in accordance with the requirements of the Internal Revenue Code, as amended, including sections 371 and 1808 (f) thereof, said exchanges and transactions, namely,

(1) The acquisition by United of its common stock for cash from holders of 99 shares or less of such common stock, and the surrender by such holders of such common stock,

(2) The acquisition by United from holders of 100 shares or more of its common stock, and the surrender by such holders, of common stock of United in exchange for Niagara Mohawk common stock,

(3) The sales, if any, by United of additional common stock of Niagara Mohawk in an amount sufficient to reduce its holdings of voting stock of that corporation to not in excess of 4.9 percent,

(4) The sale by United of all of its holdings of the common stock of South Jersey Gas Company, and

(5) The sale by United of sufficient shares of the common stock of The Columbia Gas System, Inc. and of the capital stock of The United Gas Improvement Company to reduce its holdings of the voting stock of each of those companies to not in excess of 4.9 percent,

all pursuant to the plan as amended, are necessary or appropriate to effectuate the provisions of section 11 (b) of the act.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-7575; Filed, July 2, 1951; 8:47 a. m.]

[File Nos. 54-194, 59-12]

ELECTRIC BOND AND SHARE CO. AND NATIONAL POWER & LIGHT CO.

ORDER APPROVING PLAN, AND GRANTING APPLICATION WITH RESPECT TO SALE OF SECURITIES, AND MODIFICATION OF DISSOLUTION ORDER, AND TERMINATION OF REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 26th day of June A. D. 1951.

Electric Bond and Share Company ("Bond and Share"), a registered holding company, and its registered holding company subsidiary, National Power & Light Company ("National"), having filed a joint application pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 for approval of a plan proposing (a) the sale by Bond and Share to Phoenix Industries Corporation ("Phoenix") of its holdings of 2,540,450 shares (46.5%) of the common stock of National at a price of 45 cents per share, and in further consideration of Phoenix offering to purchase the publicly held stock of National at the same price (subject to payment of transfer taxes); (b) modification of the Commission's order of August 23, 1941 (9 S. E. C. 978) directing the dissolution of National; and (c) entry of an order under section 5 (d) of the act terminating the registration of National as a registered holding company; and

A public hearing having been held on the proposed plan after appropriate notice, and the Commission having considered the record and having this day entered its findings and opinion approving said plan; having found that the proposed transactions meet the applicable statutory standards; and

The Commission finding that upon consummation of the sale of National stock by Bond and Share to Phoenix, National will cease to be a holding company, and the Commission also finding it appropriate to modify the order of dissolution directed to National for the reasons set forth in said findings and opinion:

Bond and Share having requested that the order of the Commission in so far as it relates to the transactions of Bond and Share, conform to the requirements of section 1808 (f) and supplement R of the Internal Revenue Code, as amended, and contain the findings therein specified:

It is ordered, Pursuant to section 11 (e) and the other applicable sections of the act that the said plan and the transactions therein proposed are approved and authorized effective forthwith, except as noted below:

It is further ordered, That effective upon consummation of the sale by Bond and Share to Phoenix of the former's holdings of the National stock:

(a) The dissolution order of August 23, 1941, directed to National be, and the same hereby is, modified so as to permit the continued existence of National; and

(b) Pursuant to section 5 (d) of the act National will have ceased to be a holding company, and the registration of that company will cease to be in effect.

It is further ordered and recited, That the sale by Bond and Share to Phoenix of the 2,540,450 shares of common stock of National owned by Bond and Share, and the transactions related thereto, are necessary or appropriate to the simplification of the holding company system of Bond and Share, and necessary or appropriate to effectuate the provisions of section 11 (b) of the act, within the meaning and requirements of the Internal Revenue Code, as amended, including section 1808 (f) and Supplement R thereof.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-7577; Filed, July 2, 1951; 8:47 a. m.]

[Filed No. 70-2614]

ALLENTOWN-BETHLEHEM GAS CO.

ORDER AUTHORIZING ISSUANCE AND SALE OF PRINCIPAL AMOUNT OF FIRST MORTGAGE BONDS

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 27th day of June A. D. 1951.

Allentown-Bethlehem Gas Company ("Allentown"), a gas utility subsidiary company of The United Gas Improvement Company, a registered holding company, having filed an application and amendments thereto pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935 and Rule U-50 promulgated under the Act regarding the following transactions:

Allentown proposes to issue and sell for $1,500,000 in cash, $1,500,000 principal amount of its First Mortgage Bonds due 1976. Such bonds are to be issued under and secured by the first mortgage dated April 1, 1924, of Allentown to Fidelity Trust Company, Trustee (under which Fidelity-Philadelphia Trust Company is Successor Trustee) and the various indentures supplemental thereto, including specifically a supplemental indenture to be dated as of June 1, 1951, to be entered into between Allentown and said Trustee. The application, as amended, states that the proceeds from the sale of such bonds will be used by Allentown to repay short-term bank loans totaling $515,000; to repay the balance of certain advances made by The United Gas Improvement Company, presently totaling $595,000; and to apply the remaining amount, after expenses, toward Allentown's 1951 construction program estimated to cost in the aggregate $1,238,770.

The Commission, on May 17, 1951, having issued its order granting the request of Allentown for an exception from the competitive bidding requirements of Rule U-50 with respect to the sale of the bonds, after a public hearing, but having reserved jurisdiction with respect to the terms of the proposed bonds and all other aspects of the proposed transaction; and

Allentown having invited sealed bids for the purchase, as a whole, of its proposed bonds from eleven separate prospective purchasers and having filed an amendment stating that an agreement has been entered into for the sale of said bonds at the principal amount, providing an interest rate of 3.348 percent and representing the lower cost of money to the Company of two bids received, to the following institutions in the principal amounts indicated:

The Philadelphia Saving Fund Society, Philadelphia, Pa	$600,000
The Dollar Savings Bank, Pittsburgh, Pa	400,000
The Beneficial Saving Fund Society of Philadelphia	300,000
The Trustees of the University of Pensylvania, Philadelphia, Pa	200,000

Applicant having further stated that the proposed purchasers will acquire such bonds for their own account for investment and not for resale or distribution and having requested that the

Commission's order granting the application, as amended, be effective upon issuance; and

The Company having estimated the total expenses of the proposed transtion to be $6,000; and

The Commission having examined said amendments and finding that the proposed issue and sale of bonds have been expressly authorized by the Pennsylvania Public Utility Commission, which is the regulatory Commission of the State in which the Company is organized and doing business, and further finding no basis for the imposition of terms and conditions with respect to the issue and sale of said bonds other than those contained in Rule U-24, and deeming it appropriate in the public interest and in the interest of investors and consumers that the application, as amended, be granted, effective forthwith;

It is ordered, That the jurisdiction heretofore reserved with respect to the issue and sale of said bonds, the result of negotiations, and other matters in connection with the proposed transactions be, and the same hereby is, released and that the application, as amended, be, and the same hereby is, granted, effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 51-7576; Filed, July 2, 1951; 8:47 a. m.]

[File No. 70-2647]

ELECTRIC ENERGY, INC., ET AL.

ORDER PERMITTING ISSUANCE AND SALE OF MAXIMUM OF PRINCIPAL AMOUNT OF FIRST MORTGAGE BONDS AND GRANTING REQUEST FOR EXEMPTION FROM COMPETITIVE BIDDING REQUIREMENTS

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 26th day of June 1951.

In the matter of Electric Energy, Inc., Middle South Utilities, Inc., Union Electric Company of Missouri; File No. 70-2647.

Middle South Utilities, Inc. ("Middle South"), a registered holding company, Union Electric Company of Missouri ("Union Electric"), a registered holding company and a public utility company, and Electric Energy Inc. ("Electric Energy"), a public utility subsidiary of Middle South and Union Electric, have filed a joint application-declaration and amendments thereto, pursuant to sections 6, 7 and 12 of the Public Utility Holding Company Act of 1935 (the "act"), regarding (i) the issuance and sale by Electric Energy to two insurance companies of a maximum of $100,000,000 principal amount of 3 percent First Mortgage Sinking Fund Bonds, due December 1, 1979, and (ii) the execution by all the applicants-declarants of certain related contracts. Electric Energy has requested that said issuance and sale of bonds be exempted from the competitive bidding requirements of Rule U-50 promulgated under the act.

Said joint application-declaration, as amended, having been duly filed and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 and the Commission not having received a request for hearing with respect to said joint application-declaration, as amended, within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission having considered the record in the matter and having filed this day its memorandum opinion herein and finding for the reasons set forth in said memorandum opinion that it is appropriate to grant the application and permit the declaration to become effective, and to grant the requested exemption from the competitive bidding requirements of Rule U-50;

It is ordered, Pursuant to Rule U-23 that said joint application-declaration, as amended, be, and the same hereby is, granted and permitted to become effective, and that the issuance and sale of bonds by Electric Energy be, and the same hereby is, exempted from the competitive bidding requirements of Rule U-50, all subject to the terms and conditions prescribed in Rule U-24 and subject to the further conditions that this order, our prior opinion herein, as well as any contracts or relationships then existing will not be pleaded in any proceedings commenced in connection with the reserved issues under section 10 of the act.

It is further ordered, That jurisdiction be, and the same hereby is, reserved over all fees and expenses to be incurred in connection with the proposed transactions.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 51-7574; Filed, July 2, 1951; 8:47 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 18010]

K. P. MANUS

In re: Stock registered in the name of K. P. Manus, Amsterdam, The Netherlands, and owned by persons whose names are unknown. F-49-1362.

Under the authority of the Trading With the Enemy Act, as amended, Executive Orders 9193, as amended, 9788 and 9989, and pursuant to law, after investigation, it is hereby found:

1. That the property described as follows: Those certain shares of stock described in Exhibit A, set forth below and by reference made a part hereof, registered in the name of K. P. Manus, together with all declared and unpaid dividends thereon, excepting from the foregoing, however, those shares of stock described in Exhibit A, together with all declared and unpaid dividends thereon, concerning which, on or prior to the effective date of this vesting order, the issuing corporation or its transfer agent in the United States has received a license or a copy of a license removing such property from the restrictions of Executive Order 8389, as amended, or has been advised in writing by a banking institution in the United States of the removal of such restrictions and of the authorization therefor;

is property within the United States;

2. That the property described in subparagraph 1 hereof is owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or is evidence of ownership or control by persons, names unknown, who, if individuals, there is reasonable cause to believe are residents of a designated enemy country and which, if partnerships, associations, corporations, or other organizations, there is reasonable cause to believe are organized under the laws of a designated enemy country or on or since the effective date of Executive Order 8389, as amended, have had their principal places of business in a designated enemy country;

3. That the persons referred to in subparagraph 2 hereof are nationals of a designated enemy country;

and it is hereby determined:

4. That to the extent that the persons referred to in subparagraph 2 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country.

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended, and the term "designated enemy country" has reference to Germany or Japan. The term "banking institution" as used herein shall have the meaning prescribed in section 5F of Executive Order 8389, as amended.

Executed at Washington, D. C., on June 5, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

1. The United States Leather Company common stock evidenced by the certificates whose numbers are set forth below for the number of shares indicated:

10-share certificates. 3415, 3416, 3417, 3418, 3419, 3420, 3421, 3422, 5430.

2. Southern Railway Company common stock no par value evidenced by the certificates whose numbers are set forth below for the number of shares indicated:

10-share certificates. 5408, 5409, 5410, 6775, 8228, 100209, 101243.

[F. R. Doc. 51-7612; Filed, July 2, 1951; 8:50 a. m.]

[Vesting Order 18011]

DUPONT & FURLAND

In re: Stock registered in the name of Dupont & Furland, Paris, France, and owned by persons whose names are unknown. F-27-6471.

Under the authority of the Trading With the Enemy Act, as amended, Executive Orders 9193, as amended, 9788 and 9989, and pursuant to law, after investigation, it is hereby found:

1. That the property described as follows: Those certain shares of stock described in Exhibit A, set forth below and by reference made a part hereof, registered in the name of Dupont & Furland (as stated by General Electric Company in its report on Form OAP-700, bearing its Serial No. 7), together with all declared and unpaid dividends thereon, excepting from the foregoing, however, those shares of stock described in Exhibit A, together with all declared and unpaid dividends thereon, concerning which, on or prior to the effective date of this vesting order, the issuing corporation or its transfer agent in the United States has received a license or a copy of a license removing such property from the restrictions of Executive Order 8389, as amended, or has been advised in writing by a banking institution in the United States of the removal of such restrictions and of the authorization therefor;

is property within the United States;

2. That the property described in subparagraph 1 hereof is owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or is evidence of ownership or control by persons, names unknown, who, if individuals, there is reasonable cause to believe are residents of a designated enemy country and which, if partnerships, associations, corporations, or other organizations, there is reasonable cause to believe are organized under the laws of a designated enemy country or on or since the effective date of Executive Order 8389, as amended, have had their principal places of business in a designated enemy country;

3. That the persons referred to in subparagraph 2 hereof are nationals of a designated enemy country;

and it is hereby determined:

4. That to the extent that the persons referred to in subparagraph 2 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country.

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended, and the term "designated enemy country" has reference to Germany or Japan. The term "banking institution" as used herein shall have the meaning prescribed in section 5F of Executive Order 8389, as amended.

Executed at Washington, D. C., on June 5, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

General Electric Company no par value common stock evidenced by the certificates, whose numbers are set forth below, for the number of shares indicated:

	Shares
NYD 87551	12
NYD 94890	14
NYD 94984	14
NYD 251180	36
NYD 251183	42
NYD 251184	42

[F. R. Doc. 51-7613; Filed, July 2, 1951; 8:50 a. m.]

[Vesting Order 18012]

BANQUE DUPONT & FURLAND

In re: Stock registered in the name of Banque DuPont & Furland, Paris, France, and owned by persons whose names are unknown. F-27-6471.

Under the authority of the Trading With the Enemy Act, as amended, Executive Orders 9193, as amended, 9788 and 9989, and pursuant to law, after investigation, it is hereby found:

1. That the property described as follows: Those certain shares of stock described in Exhibit A, set forth below and by reference made a part hereof, registered in the name of Banque DuPont & Furland, together with all declared and unpaid dividends thereon, excepting from the foregoing, however, those shares of stock described in Exhibit A, together with all declared and unpaid dividends thereon, concerning which, on or prior to the effective date of this vesting order, the issuing corporation or its transfer agent in the United States has received a license or a copy of a license removing such property from the restrictions of Executive Order 8389, as amended, or has been advised in writing by a banking institution in the United States of the removal of such restrictions and of the authorization therefor;

is property within the United States;

2. That the property described in subparagraph 1 hereof is owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or is evidence of ownership or control by persons, names unknown, who, if individuals, there is reasonable cause to believe are residents of a designated enemy country and which, if partnerships, associations, corporations, or other organizations, there is reasonable cause to believe are organized under the laws of a designated enemy country or on or since the effective date of Executive Order 8389, as amended, have had their principal places of business in a designated enemy country;

3. That the persons referred to in subparagraph 2 hereof are nationals of a designated enemy country;

and it is hereby determined:

4. That to the extent that the persons referred to in subparagraph 2 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country.

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended, and the term "designated enemy country" has reference to Germany or Japan. The term "banking institution" as used herein shall have the meaning prescribed in section 5F of Executive Order 8389, as amended.

Executed at Washington, D. C., on June 5, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

General Electric Company no par value common stock evidenced by the certificates whose numbers are set forth below for the number of shares indicated:

	Shares
NYE 218275	1
NYE 218276	1
NYE 218277	2
NYE 218278	5
NYE 218279	5
NYE 218280	6
NYE 218281	6
NYE 218282	10
NYE 218283	10
NYE 218284	15
NYE 218285	20
NYE 218286	20
NYE 218287	20
NYE 218288	40
NYE 218289	50
NYE 218290	50

[F. R. Doc. 51-7614; Filed, July 2, 1951; 8:50 a. m.]

[Vesting Order 18015]

DORA AGNES CREDE AND KATHLEEN A. KUNATH

In re: Rights of Dora Agnes Crede and Kathleen A. Kunath under insur-

ance contracts. Files No. F–28–24783–H–1, H–2.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Dora Agnes Crede and Kathleen A. Kunath, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the net proceeds due or to become due under contracts of insurance evidenced by policies No. 6,774,851 and 9,142,876, issued by The Prudential Insurance Company of America, Newark, New Jersey, to Dora Agnes Crede, and any and all other benefits and rights of any kind or character whatsoever under or arising out of said contracts of insurance except those of the aforesaid The Prudential Insurance Company of America, together with the right to demand, enforce, receive and collect the same, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, Dora Agnes Crede or Kathleen A. Kunath, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 12, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51–7615; Filed, July 2, 1951; 8:50 a. m.]

[Vesting Order 18027]

LUISE DEGEN REINBOLD

In re: Rights of Luise Degen Reinbold under insurance contract. File No. F–28–31443–H–1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Luise Degen Reinbold, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the net proceeds due or to become due to Luise Degen Reinbold under a contract of insurance evidenced by policy No. 127 075 898, issued by the Metropolitan Life Insurance Company, New York, New York, to Luise Degen Reinbold, and any and all other benefits and rights of any kind or character whatsoever under or arising out of said contract of insurance except those of Otto Degen, a resident of the United States, and of the aforesaid Metropolitan Life Insurance Company, together with the right to demand, enforce, receive and collect the same, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 12, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51–7616; Filed, July 2, 1951; 8:51 a. m.]

[Vesting Order 18028]

RICHARD ROHN ET AL.

In re: Rights of Richard Rohn et al. under insurance contract. File No. F–28–31144–H–1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Richard Rohn and Virginia Rohn, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. M 3128705, issued by The Prudential Insurance Company of America, Newark, New Jersey, to Richard Rohn, and any and all other benefits and rights of any kind or character whatsoever under or arising out of said contract of insurance except those of the aforesaid The Prudential Insurance Company of America, together with the right to demand, enforce, receive and collect the same, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, Richard Rohn or Virginia Rohn, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 12, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51–7617; Filed, July 2, 1951; 8:51 a. m.]

[Vesting Order 18037]

YOSHICHI HATADA

In re: Cash owned by Yoshichi Hatada. D–39–3951.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Yoshichi Hatada, whose last known address is Konu Gun Kamikawa Son Yasuda, Hiroshima, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: Cash in the sum of $350.00 presently in the possession of the Treasury Department of the United States in Trust Fund Account, Symbol 158881, "Unclaimed Monies of Individuals whose Whereabouts are Unknown", in the name of Yoshichi Hatada, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on ac-

count of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 12, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-7618; Filed, July 2, 1951; 8:51 a. m.]

[Vesting Order 18038]

SEIZO KIMURA ET AL.

In re: Funds owned by Seizo Kimura, and others.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the persons, whose names and last known addresses are listed in Exhibit A, set forth below and by reference made a part hereof, are residents of Japan and nationals of a designated enemy country (Japan);

2. That the property described as follows: Those funds presently on deposit with the Bureau of Accounts, Treasury Department, Washington, D. C., maintained in a special deposit account entitled "Secretary of the Treasury, Proceeds of Withheld Foreign Checks" and representing the proceeds of withheld checks drawn for the payment of tax refunds authorized by the Bureau of Internal Revenue for the persons whose names are listed on the aforesaid Exhibit A, and in the amounts as of January 1, 1947, as set forth opposite each such name, together with any and all rights to demand, enforce and collect the aforesaid funds,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the persons referred to in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 12, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

Name and address	Amount deposited as of Jan. 1, 1947	Office of Alien Property file No.
Seizo Kimura, Japan	$5.65	F-39-2669
Wooyeno Mareo, Japan	276.16	F-39-6926
Y. Toyomoto, Japan	751.25	D-39-16902
Shigeto Tsuru, Japan	335.37	F-39-6945
Kazuko Tsurumi, Japan	31.14	D-39-16911

[F. R. Doc. 51-7619; Filed, July 2, 1951; 8:51 a. m.]

[Vesting Order 18056]

EDMUND AMMANN

In re: Estate of Edmund Ammann, deceased. File No. D-28-13005.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Otto Haas, Marie Grune (Gruen) and Maria Scholz, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraph 1 hereof, and each of them, in and to the estate of Edmund Ammann, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

3. That such property is in the process of administration by S. Charles Savena, as substituted administrator, c. t. a., acting under the judicial supervision of the Bergen County Court, Probate Division, New Jersey;

and it is hereby determined:

4. That to the extent that the persons identified in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 20, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-7621; Filed, July 2, 1951; 8:52 a. m.]

[Vesting Order 18076]

GESKEANNA SOEKEN

In re: Estate of Geskeanna Soeken, deceased. File D 28-13018 E. T. sec. 17144.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Bernhardine Ostendoerp, nee Tebbens, Gretjelina Moehlmann, nee Tebbens, Heyo Tebbens, Hinrich Tebbens, Johannes Tebbens, Karl Tebbens, Hilkea Cordes, nee Heger, Casjen Heger, Hinriette Gesine Luehrsen, nee Heger, Joanna Gretchen Bernhardine Michelis, nee Heger, and Johanna Sophis Heger, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraph 1 hereof, and each of them, in and to the estate of Geskeanna Soeken, deceased, is property payable or deliverable to, or claimed by the aforesaid nationals of a designated enemy country (Germany);

3. That such property is in the process of administration by Henry Soeken, Administrator, acting under the judicial supervision of the Probate Court of Barton County, State of Kansas,

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as

nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 20, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General.
Director, Office of Alien Property.

[F. R. Doc. 51-7622; Filed, July 2, 1951; 8:52 a. m.]

[Vesting Order 18088]

MARCEL W. STENGEL

In re: Estate of Marcel W. Stengel, deceased. File No. F-63-9775 and A-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Fritz George Max Kuhnle and Jacob Christian Kuhnle, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the domiciliary personal representatives, heirs, next-of-kin, legatees and distributees, names unknown, of Erna Kuhnel, nee Kuhnle, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof, and each of them, in and to the estate of Marcel W. Stengel, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

4. That such property is in the process of administration by James J. Geraghty, as temporary administrator, acting under the judicial supervision of the Surrogate's Court of New York County, New York;

and it is hereby determined:

5. That to the extent that the persons named in subparagraph 1 hereof and the domiciliary personal representatives, heirs, next-of-kin, legatees and distributees, names unknown, of Erna Kuhnel, nee Kuhnle, deceased, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 26, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-7623; Filed, July 2, 1951; 8:52 a. m.]

[Vesting Order 18043]

DR. LUDWIG RIECHELMANN ET AL.

In re: Stock owned by Dr. Ludwig Riechelmann and others.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the persons whose names and last known addresses are as follows:

Name and Addresses

Dr. Ludwig Riechelmann, Gotha, Germany.
Max Welz, Frankfort-on-Main, Germany.
Rudolph Kaul, Cologne, Germany.
F. Anton Mettel, Minden, Westphalia, Germany.
Anna Knoetzke, Berlin NW, Germany.
Fritz Ortenbach and Sophie Ortenbach, Heidelberg, Germany.
Karl Erich Dubuse, Eifel, Germany.
Johann Peter Arns, Remscheid, Germany.
Oskar de Roche, Wiesbaden, Germany.

are residents of Germany and nationals of a designated enemy country (Germany);

2. That the personal representatives, heirs, next of kin, legatees and distributees of Simon Roos, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That the personal representatives, heirs, next of kin, legatees and distributees of Otto Knoetzke, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

4. That the property described as follows:

a. Those certain shares of stock described in Exhibit A attached hereto and by reference made a part hereof, registered in the name of Hallgarten & Co., and presently in the custody of Hallgarten & Co., 44 Wall Street, New York 5, New York, in a blocked account entitled "Banque Commerciale, S. A., Luxembourg", together with all declared and unpaid dividends thereon, and

b. A fractional one-half (½) share of no par value common capital stock of Wheeling Steel Corporation, Wheeling, West Virginia, a corporation organized under the laws of the State of Delaware, evidenced by a one-half (½) part of a certificate for one share of no par value common capital stock of the aforesaid corporation, presently in the custody of Hallgarten & Co., 44 Wall Street, New York 5, New York, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the persons named in subparagraph 1 hereof, and by the personal representatives, heirs, next of kin, legatees and distributees of Simon Roos, deceased, and the personal representatives, heirs, next of kin, legatees and distributees of Otto Knoetzke, deceased, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

5. That to the extent that the persons named in subparagraph 1 hereof and the personal representatives, heirs, next of kin, legatees and distributees of Simon Roos, deceased, and the personal representatives, heirs, next of kin, legatees and distributees of Otto Knoetzke, deceased, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 12, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

Issuing company	Class of stock	Certificate Nos.	Number of shares
Adams Express Co., 40 Wall St., New York, N. Y.	Common	NO134005	3
Colgate-Palm Olive Peet Co., 105 Hudson St., Jersey City, N. J.	do	NC/0136385 NO4102[1]	2 1/20
International Paper Co., 220 East 42d St., New York 17, N. Y.	do	NO50471 NSB2730[1]	30 ½
Wheeling Steel Corp., Wheeling, W. Va.	do	NCO60450 NCO41280	10 12

[1] Fractional script certificate in bearer form.

[F. R. Doc. 51-7620; Filed, July 2, 1951; 8:52 a. m.]